



Rep. Ann M. Williams

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10400HB2658ham001

LRB104 08651 LNS 23269 a

1 AMENDMENT TO HOUSE BILL 2658

2 AMENDMENT NO. _____. Amend House Bill 2658 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 2-118, 6-203.1, 6-205, 6-206, 6-206.1, and
6 6-208 as follows:

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

8 Sec. 2-118. Hearings.

9 (a) Upon the suspension, revocation or denial of the
10 issuance of a license, driving privileges, permit,
11 registration or certificate of title under this Code of any
12 person the Secretary of State shall immediately notify such
13 person in writing and upon his written request shall, within
14 20 days after receipt thereof, set a date for a formal hearing
15 to commence within 90 calendar days from the date of the
16 written request for all requests related to a suspension,

1 revocation, or the denial of the issuance of a license,
2 driving privileges, permit, registration, or certificate of
3 title occurring after July 1, 2002, in the County of Sangamon,
4 the County of Jefferson, or the County of Cook, as such person
5 may specify, unless both parties agree that such hearing may
6 be held in some other county. The Secretary may require the
7 payment of a fee of not more than \$50 for the filing of any
8 petition, motion, or request for hearing conducted pursuant to
9 this Section. These fees must be deposited into the Secretary
10 of State DUI Administration Fund, a special fund created in
11 the State treasury, and, subject to appropriation and as
12 directed by the Secretary of State, shall be used for
13 operation of the Department of Administrative Hearings of the
14 Office of the Secretary of State and for no other purpose. The
15 Secretary shall establish by rule the amount and the
16 procedures, terms, and conditions relating to these fees.

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

25 (c) Upon any such hearing, the Secretary of State, or his
26 authorized agent may administer oaths and issue subpoenas for

1 the attendance of witnesses and the production of relevant
2 books and records and may require an examination of such
3 person. Upon any such hearing, the Secretary of State shall
4 either rescind or, good cause appearing therefor, continue,
5 change or extend the Order of Revocation or Suspension, or
6 upon petition therefore and subject to the provisions of this
7 Code, issue a restricted driving permit or reinstate the
8 license or permit of such person.

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

24 (d-5) Any hearing over which the Secretary of State has
25 jurisdiction because of a person's implied consent to testing
26 of the person's blood, breath, other bodily substance, or

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

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

1 decisions of the Secretary of State hereunder.

2 (f) If permitted by administrative rule, a person may
3 request an informal hearing at a Secretary of State driver
4 services facility subject to availability of an informal
5 hearing officer. The Secretary shall adopt administrative
6 rules regarding the conduct of informal hearings. Informal
7 hearings are not subject to the Illinois Administrative
8 Procedure Act or the Administrative Review Law.

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

10 (625 ILCS 5/6-203.1) (from Ch. 95 1/2, par. 6-203.1)

11 Sec. 6-203.1. Suspension of driving privileges; persons
12 arrested in another state; credit for ignition interlock
13 device use.

14 (a) The Secretary of State is authorized to suspend, for
15 the period set forth in Section 6-208.1, the driving
16 privileges of persons arrested in another state for driving
17 under the influence of alcohol, other drug or drugs, or
18 intoxicating compound or compounds, or any combination
19 thereof, or a similar provision, and who has refused to submit
20 to a chemical test or tests under the provisions of implied
21 consent.

22 (b) When a driving privilege has been suspended for a
23 refusal as provided in paragraph (a) and the person is
24 subsequently convicted of the underlying charge, for the same
25 incident, any period served on suspension shall be credited

1 toward the minimum period of revocation of driving privileges
2 imposed pursuant to Section 6-206.

3 (c) A person whose license was suspended and was issued a
4 monitoring device driving permit under Section 6-206.1 and who
5 is subsequently convicted of the underlying charge, for the
6 same incident, shall be given credit for time served on the
7 monitoring device driving permit towards any mandatory
8 ignition interlock requirement resulting from the conviction
9 if the person had no ignition interlock violations, as defined
10 by the Secretary, while on the monitoring device driving
11 permit.

12 (Source: P.A. 96-607, eff. 8-24-09.)

13 (625 ILCS 5/6-205)

14 Sec. 6-205. Mandatory revocation of license or permit;
15 hardship cases.

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

20 1. Reckless homicide resulting from the operation of a
21 motor vehicle;

22 2. Violation of Section 11-501 of this Code or a
23 similar provision of a local ordinance relating to the
24 offense of operating or being in physical control of a
25 vehicle while under the influence of alcohol, other drug

1 or drugs, intoxicating compound or compounds, or any
2 combination thereof;

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

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

9 5. Perjury or the making of a false affidavit or
10 statement under oath to the Secretary of State under this
11 Code or under any other law relating to the ownership or
12 operation of motor vehicles;

13 6. Conviction upon 3 charges of violation of Section
14 11-503 of this Code relating to the offense of reckless
15 driving committed within a period of 12 months;

16 7. Conviction of any offense defined in Section 4-102
17 of this Code if the person exercised actual physical
18 control over the vehicle during the commission of the
19 offense;

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

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

23 10. Violation of Section 12-5 of the Criminal Code of
24 1961 or the Criminal Code of 2012 arising from the use of a
25 motor vehicle;

26 11. Violation of Section 11-204.1 of this Code

1 relating to aggravated fleeing or attempting to elude a
2 peace officer;

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

7 13. Violation of paragraph (a) of Section 11-502 of
8 this Code or a similar provision of a local ordinance if
9 the driver has been previously convicted of a violation of
10 that Section or a similar provision of a local ordinance
11 and the driver was less than 21 years of age at the time of
12 the offense;

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

16 15. A second or subsequent conviction of driving while
17 the person's driver's license, permit or privileges was
18 revoked for reckless homicide or a similar out-of-state
19 offense;

20 16. Any offense against any provision in this Code, or
21 any local ordinance, regulating the movement of traffic
22 when that offense was the proximate cause of the death of
23 any person. Any person whose driving privileges have been
24 revoked pursuant to this paragraph may seek to have the
25 revocation terminated or to have the length of revocation
26 reduced by requesting an administrative hearing with the

1 Secretary of State prior to the projected driver's license
2 application eligibility date;

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

5 18. A second or subsequent conviction of illegal
6 possession, while operating or in actual physical control,
7 as a driver, of a motor vehicle, of any controlled
8 substance prohibited under the Illinois Controlled
9 Substances Act, any cannabis prohibited under the Cannabis
10 Control Act, or any methamphetamine prohibited under the
11 Methamphetamine Control and Community Protection Act. A
12 defendant found guilty of this offense while operating a
13 motor vehicle shall have an entry made in the court record
14 by the presiding judge that this offense did occur while
15 the defendant was operating a motor vehicle and order the
16 clerk of the court to report the violation to the
17 Secretary of State;

18 19. Violation of subsection (a) of Section 11-1414 of
19 this Code, or a similar provision of a local ordinance,
20 relating to the offense of overtaking or passing of a
21 school bus when the driver, in committing the violation,
22 is involved in a motor vehicle crash that results in death
23 to another and the violation is a proximate cause of the
24 death.

25 (b) The Secretary of State shall also immediately revoke
26 the license or permit of any driver in the following

1 situations:

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

7 2. Of any person when any other law of this State
8 requires either the revocation or suspension of a license
9 or permit;

10 3. Of any person adjudicated under the Juvenile Court
11 Act of 1987 based on an offense determined to have been
12 committed in furtherance of the criminal activities of an
13 organized gang as provided in Section 5-710 of that Act,
14 and that involved the operation or use of a motor vehicle
15 or the use of a driver's license or permit. The revocation
16 shall remain in effect for the period determined by the
17 court.

18 (c) (1) Whenever a person is convicted of any of the
19 offenses enumerated in this Section, ~~the court may recommend~~
20 and the use of alcohol or other drugs is not stated as an
21 element of the offense, the Secretary of State in his
22 discretion, ~~without regard to whether the recommendation is~~
23 ~~made by the court may,~~ upon application, issue to the person a
24 restricted driving permit granting the privilege of driving a
25 motor vehicle between the petitioner's residence and
26 petitioner's place of employment or within the scope of the

1 petitioner's employment related duties, or to allow the
2 petitioner to transport himself or herself or a family member
3 of the petitioner's household to a medical facility for the
4 receipt of necessary medical care or to allow the petitioner
5 to transport himself or herself to and from alcohol or drug
6 remedial or rehabilitative activity recommended by a licensed
7 service provider, or to allow the petitioner to transport
8 himself or herself or a family member of the petitioner's
9 household to classes, as a student, at an accredited
10 educational institution, or to allow the petitioner to
11 transport children, elderly persons, or persons with
12 disabilities who do not hold driving privileges and are living
13 in the petitioner's household to and from daycare; if the
14 petitioner is able to demonstrate that no alternative means of
15 transportation is reasonably available and that the petitioner
16 will not endanger the public safety or welfare; provided that
17 the Secretary's discretion shall be limited to cases where
18 undue hardship, as defined by the rules of the Secretary of
19 State, would result from a failure to issue the restricted
20 driving permit. If a person is convicted of any of the offenses
21 enumerated in this Section and the use of alcohol or other
22 drugs is stated as an element of the offense, the Secretary may
23 in the Secretary's discretion, upon application, issue to the
24 person a restricted driving permit granting the privilege of
25 driving a motor vehicle without regard to hardship under the
26 parameters set forth by the Secretary. The Secretary may adopt

1 administrative rules for the issuance of other types of
2 restricted driving permits that may be issued prior to and
3 after eligibility date for reinstatement in order to protect
4 and further the public safety and welfare.

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

15 (A) a minimum of 3 years of uninterrupted abstinence
16 from alcohol and the unlawful use or consumption of
17 cannabis under the Cannabis Control Act, a controlled
18 substance under the Illinois Controlled Substances Act, an
19 intoxicating compound under the Use of Intoxicating
20 Compounds Act, or methamphetamine under the
21 Methamphetamine Control and Community Protection Act; and

22 (B) the successful completion of any rehabilitative
23 treatment and involvement in any ongoing rehabilitative
24 activity that may be recommended by a properly licensed
25 service provider according to an assessment of the
26 person's alcohol or drug use under Section 11-501.01 of

1 this Code.

2 In determining whether an applicant is eligible for a
3 restricted driving permit under this paragraph (1.5), the
4 Secretary may consider any relevant evidence, including, but
5 not limited to, testimony, affidavits, records, and the
6 results of regular alcohol or drug tests. Persons subject to
7 the provisions of paragraph 4 of subsection (b) of Section
8 6-208 of this Code and who have been convicted of more than one
9 violation of paragraph (3), paragraph (4), or paragraph (5) of
10 subsection (a) of Section 11-501 of this Code shall not be
11 eligible to apply for a restricted driving permit.

12 A restricted driving permit issued under this paragraph
13 (1.5) shall provide that the holder may only operate motor
14 vehicles equipped with an ignition interlock device as
15 required under paragraph (2) of subsection (c) of this Section
16 and subparagraph (A) of paragraph 3 of subsection (c) of
17 Section 6-206 of this Code. The Secretary may revoke a
18 restricted driving permit or amend the conditions of a
19 restricted driving permit issued under this paragraph (1.5) if
20 the holder operates a vehicle that is not equipped with an
21 ignition interlock device, or for any other reason authorized
22 under this Code.

23 A restricted driving permit issued under this paragraph
24 (1.5) shall be revoked, and the holder barred from applying
25 for or being issued a restricted driving permit in the future,
26 if the holder is subsequently convicted of a violation of

1 Section 11-501 of this Code, a similar provision of a local
2 ordinance, ~~or~~ a similar offense in another state, or a similar
3 offense committed on a military installation.

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

18 (3) If:

19 (A) a person's license, ~~or~~ permit, or driving
20 privilege is revoked or suspended 2 or more times due to
21 any combination of:

22 (i) a single conviction of violating Section
23 11-501 of this Code or a similar provision of a local
24 ordinance or a similar out-of-state offense, or a
25 similar offense committed on a military installation,
26 or Section 9-3 of the Criminal Code of 1961 or the

1 Criminal Code of 2012, where the use of alcohol or
2 other drugs is stated ~~recited~~ as an element of the
3 offense, or a similar out-of-state offense or a
4 similar offense committed on a military installation;
5 or

6 (ii) a statutory summary suspension or revocation
7 under Section 11-501.1, a suspension under subsection
8 (6) of paragraph (a) of Section 6-206 where alcohol or
9 other drugs is stated as an element of the offense or a
10 suspension under subsection (31) of paragraph (a) of
11 Section 6-206; or

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

13 (iv) a single disposition of court supervision of
14 violating Section 11-501 or a similar provision of a
15 local ordinance or a similar out-of-state offense; or

16 (v) a single conviction of or disposition of court
17 supervision of violating Section 11-503, a similar
18 provision of a local ordinance or a similar
19 out-of-state offense if the original charge was a
20 violation of Section 11-501, or a similar provision of
21 a local ordinance or a similar out-of-state offense;

22 arising out of separate occurrences; or

23 (B) a person has been convicted of one violation of
24 subparagraph (C) or (F) of paragraph (1) of subsection (d)
25 of Section 11-501 of this Code, Section 9-3 of the
26 Criminal Code of 1961 or the Criminal Code of 2012,

1 relating to the offense of reckless homicide where the use
2 of alcohol or other drugs was stated ~~recited~~ as an element
3 of the offense, or a similar provision of a law of another
4 state or military installation;

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

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

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

1 has elapsed during which that person had a restricted driving
2 permit which required the use of an ignition interlock device
3 on every motor vehicle owned or operated by that person.

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

25 (c-5) (Blank).

26 (c-6) If a person is convicted of a second violation of

1 operating a motor vehicle while the person's driver's license,
2 permit or privilege was revoked, where the revocation was for
3 a violation of Section 9-3 of the Criminal Code of 1961 or the
4 Criminal Code of 2012 relating to the offense of reckless
5 homicide or subparagraph (F) of paragraph (1) of subsection
6 (d) of Section 11-501 of this Code or a similar out-of-state
7 offense or a similar offense committed on a military
8 installation, the person's driving privileges shall be revoked
9 pursuant to subdivision (a)(15) of this Section. The person
10 may not make application for a license or permit until the
11 expiration of five years from the effective date of the
12 revocation or the expiration of five years from the date of
13 release from a term of imprisonment, whichever is later.

14 (c-7) If a person is convicted of a third or subsequent
15 violation of operating a motor vehicle while the person's
16 driver's license, permit or privilege was revoked, where the
17 revocation was for a violation of Section 9-3 of the Criminal
18 Code of 1961 or the Criminal Code of 2012 relating to the
19 offense of reckless homicide or subparagraph (F) of paragraph
20 (1) of subsection (d) of Section 11-501 of this Code or a
21 similar out-of-state offense or a similar offense committed on
22 a military installation, the person may never apply for a
23 license or permit.

24 (d)(1) Whenever a person under the age of 21 is convicted
25 under Section 11-501 of this Code or a similar provision of a
26 local ordinance or a similar out-of-state offense or a similar

1 offense committed on a military installation, the Secretary of
2 State shall revoke the driving privileges of that person. One
3 year after the date of revocation, and upon application, the
4 Secretary of State may, if satisfied that the person applying
5 will not endanger the public safety or welfare, issue a
6 restricted driving permit granting the privilege of driving a
7 motor vehicle only without regard to hardship under the
8 parameters set forth by the Secretary ~~between the hours of 5~~
9 ~~a.m. and 9 p.m. or as otherwise provided by this Section~~ for a
10 period of one year. After this one-year period, and upon
11 reapplication for a license as provided in Section 6-106, upon
12 payment of the appropriate reinstatement fee provided under
13 paragraph (b) of Section 6-118, the Secretary of State, in his
14 discretion, may reinstate the petitioner's driver's license
15 and driving privileges, or extend the restricted driving
16 permit as many times as the Secretary of State deems
17 appropriate, by additional periods of not more than 24 months
18 each.

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

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

7 (3) If a person's license, ~~or~~ permit, or driving privilege
8 is revoked or suspended 2 or more times due to any combination
9 of:

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

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

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

26 (D) a single disposition of court supervision of

1 violating Section 11-501 or a similar provision of a local
2 ordinance or a similar out-of-state offense; or

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

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

13 (3.5) If a person's license, ~~or~~ permit, or driving
14 privilege is revoked or suspended due to a conviction for a
15 violation of subparagraph (C) or (F) of paragraph (1) of
16 subsection (d) of Section 11-501 of this Code, or a similar
17 provision of a local ordinance or similar out-of-state
18 offense, that person, if issued a restricted driving permit,
19 may not operate a vehicle unless it has been equipped with an
20 ignition interlock device as defined in Section 1-129.1.

21 (4) The person issued a permit conditioned upon the use of
22 an interlock device must pay to the Secretary of State DUI
23 Administration Fund an amount not to exceed \$30 per month. The
24 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 ~~if~~

1 ~~the restricted driving permit is issued for employment~~
2 ~~purposes, then~~ the prohibition against driving a vehicle that
3 is not equipped with an ignition interlock device if the
4 person is operating ~~does not apply to the operation of~~ an
5 occupational vehicle owned or leased by that person's employer
6 when used solely for employment purposes. For any person who,
7 within a 5-year period, is convicted of a second or subsequent
8 offense under Section 11-501 of this Code, or a similar
9 provision of a local ordinance or similar out-of-state offense
10 or a similar offense committed on a military installation,
11 this employment exemption does not apply until either a
12 one-year period has elapsed during which that person had his
13 or her driving privileges revoked or a one-year period has
14 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) A restricted driving permit issued under this Section
18 shall be subject to cancellation, revocation, and suspension
19 by the Secretary of State in like manner and for like cause as
20 a driver's license issued under this Code may be cancelled,
21 revoked, or suspended; except that a conviction upon one or
22 more offenses against laws or ordinances regulating the
23 movement of traffic shall be deemed sufficient cause for the
24 revocation, suspension, or cancellation of a restricted
25 driving permit.

26 (d-5) The revocation of the license, permit, or driving

1 privileges of a person convicted of a third or subsequent
2 violation of Section 6-303 of this Code committed while his or
3 her driver's license, permit, or privilege was revoked because
4 of a violation of Section 9-3 of the Criminal Code of 1961 or
5 the Criminal Code of 2012, relating to the offense of reckless
6 homicide or subparagraph (F) of paragraph (1) of subsection
7 (d) of Section 11-501 of this Code, or a similar provision of a
8 law of another state or military installation, is permanent.
9 The Secretary may not, at any time, issue a license or permit
10 to that person.

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

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

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

21 (h) The Secretary of State shall require the use of
22 ignition interlock devices for a period not less than 5 years
23 on all vehicles owned by a person who has been convicted of a
24 second or subsequent offense under Section 11-501 of this Code
25 or a similar provision of a local ordinance or a similar
26 out-of-state offense or a similar offense committed on a

1 military installation. The person must pay to the Secretary of
2 State DUI Administration Fund an amount not to exceed \$30 for
3 each month that he or she uses the device. The Secretary shall
4 establish by rule and regulation the procedures for
5 certification and use of the interlock system, the amount of
6 the fee, and the procedures, terms, and conditions relating to
7 these fees. During the time period in which a person is
8 required to install an ignition interlock device under this
9 subsection (h), that person shall only operate vehicles in
10 which ignition interlock devices have been installed, except
11 as allowed by subdivision (c)(5) or (d)(5) of this Section.
12 Regardless of whether an exemption under subdivision (c)(5)
13 or (d)(5) applies, every person subject to this subsection
14 shall not be eligible for reinstatement until the person
15 installs an ignition interlock device and maintains the
16 ignition interlock device for 5 years.

17 (i) (Blank).

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

23 (k) The Secretary of State shall notify by mail any person
24 whose driving privileges have been revoked under paragraph 16
25 of subsection (a) of this Section that his or her driving
26 privileges and driver's license will be revoked 90 days from

1 the date of the mailing of the notice.

2 (Source: P.A. 101-623, eff. 7-1-20; 102-299, eff. 8-6-21;
3 102-982, eff. 7-1-23.)

4 (625 ILCS 5/6-206)

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

7 (a) The Secretary of State is authorized to suspend or
8 revoke the driving privileges of any person without
9 preliminary hearing upon a showing of the person's records or
10 other sufficient evidence that the person:

11 1. Has committed an offense for which mandatory
12 revocation of a driver's license or permit is required
13 upon conviction;

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

19 3. Has been repeatedly involved as a driver in motor
20 vehicle collisions or has been repeatedly convicted of
21 offenses against laws and ordinances regulating the
22 movement of traffic, to a degree that indicates lack of
23 ability to exercise ordinary and reasonable care in the
24 safe operation of a motor vehicle or disrespect for the
25 traffic laws and the safety of other persons upon the

1 highway;

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

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

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

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

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

24 9. Has made a false statement or knowingly concealed a
25 material fact or has used false information or
26 identification in any application for a license,

1 identification card, or permit;

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

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

13 12. Has submitted to any portion of the application
14 process for another person or has obtained the services of
15 another person to submit to any portion of the application
16 process for the purpose of obtaining a license,
17 identification card, or permit for some other person;

18 13. Has operated a motor vehicle upon a highway of
19 this State when the person's driver's license or permit
20 was invalid under the provisions of Sections 6-107.1 and
21 6-110;

22 14. Has committed a violation of Section 6-301,
23 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
24 14B of the Illinois Identification Card Act or a similar
25 offense in another state if, at the time of the offense,
26 the person held an Illinois driver's license or

1 identification card;

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

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

10 17. Has refused to submit to a test, or tests, as
11 required under Section 11-501.1 of this Code and the
12 person has not sought a hearing as provided for in Section
13 11-501.1;

14 18. (Blank);

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

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

20 21. Has been convicted of violating Section 11-402 of
21 this Code relating to leaving the scene of a crash
22 resulting in damage to a vehicle in excess of \$1,000, in
23 which case the suspension shall be for one year;

24 22. Has used a motor vehicle in violating paragraph
25 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
26 the Criminal Code of 1961 or the Criminal Code of 2012

1 relating to unlawful possession of weapons, in which case
2 the suspension shall be for one year;

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

7 24. Has been convicted by a court-martial or punished
8 by non-judicial punishment by military authorities of the
9 United States at a military installation in Illinois or in
10 another state of or for a traffic-related offense that is
11 the same as or similar to an offense specified under
12 Section 6-205 or 6-206 of this Code;

13 25. Has permitted any form of identification to be
14 used by another in the application process in order to
15 obtain or attempt to obtain a license, identification
16 card, or permit;

17 26. Has altered or attempted to alter a license or has
18 possessed an altered license, identification card, or
19 permit;

20 27. (Blank);

21 28. Has been convicted for a first time of the illegal
22 possession, while operating or in actual physical control,
23 as a driver, of a motor vehicle, of any controlled
24 substance prohibited under the Illinois Controlled
25 Substances Act, any cannabis prohibited under the Cannabis
26 Control Act, or any methamphetamine prohibited under the

1 Methamphetamine Control and Community Protection Act, in
2 which case the person's driving privileges shall be
3 suspended for one year. Any defendant found guilty of this
4 offense while operating a motor vehicle shall have an
5 entry made in the court record by the presiding judge that
6 this offense did occur while the defendant was operating a
7 motor vehicle and order the clerk of the court to report
8 the violation to the Secretary of State;

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

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

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

14 32. Has been convicted of Section 24-1.2 of the
15 Criminal Code of 1961 or the Criminal Code of 2012
16 relating to the aggravated discharge of a firearm if the
17 offender was located in a motor vehicle at the time the
18 firearm was discharged, in which case the suspension shall
19 be for 3 years;

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

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

26 35. Has committed a violation of Section 11-1301.6 of

1 this Code or a similar provision of a local ordinance;

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

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

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

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

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

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

24 42. Has committed a violation of subsection (a-1) of
25 Section 11-1301.3 of this Code or a similar provision of a
26 local ordinance;

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

8 44. Is under the age of 21 years at the time of arrest
9 and has been convicted of an offense against traffic
10 regulations governing the movement of vehicles after
11 having previously had his or her driving privileges
12 suspended or revoked pursuant to subparagraph 36 of this
13 Section;

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

21 46. Has committed a violation of subsection (j) of
22 Section 3-413 of this Code;

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

25 48. Has submitted a falsified or altered medical
26 examiner's certificate to the Secretary of State or

1 provided false information to obtain a medical examiner's
2 certificate;

3 49. Has been convicted of a violation of Section
4 11-1002 or 11-1002.5 that resulted in a Type A injury to
5 another, in which case the driving privileges of the
6 person shall be suspended for 12 months;

7 50. Has committed a violation of subsection (b-5) of
8 Section 12-610.2 that resulted in great bodily harm,
9 permanent disability, or disfigurement, in which case the
10 driving privileges of the person shall be suspended for 12
11 months;

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

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

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

25 (b) If any conviction forming the basis of a suspension or
26 revocation authorized under this Section is appealed, the

1 Secretary of State may rescind or withhold the entry of the
2 order of suspension or revocation, as the case may be,
3 provided that a certified copy of a stay order of a court is
4 filed with the Secretary of State. If the conviction is
5 affirmed on appeal, the date of the conviction shall relate
6 back to the time the original judgment of conviction was
7 entered and the 6-month limitation prescribed shall not apply.

8 (c) 1. Upon suspending or revoking the driver's license,
9 ~~or~~ permit, or driving privilege of any person as authorized in
10 this Section, the Secretary of State shall immediately notify
11 the person in writing of the revocation or suspension. The
12 notice to be deposited in the United States mail, postage
13 prepaid, to the last known address of the person.

14 2. If the Secretary of State suspends the driver's license
15 of a person under subsection 2 of paragraph (a) of this
16 Section, a person's privilege to operate a vehicle as an
17 occupation shall not be suspended, provided an affidavit is
18 properly completed, the appropriate fee received, and a permit
19 issued prior to the effective date of the suspension, unless 5
20 offenses were committed, at least 2 of which occurred while
21 operating a commercial vehicle in connection with the driver's
22 regular occupation. All other driving privileges shall be
23 suspended by the Secretary of State. Any driver prior to
24 operating a vehicle for occupational purposes only must submit
25 the affidavit on forms to be provided by the Secretary of State
26 setting forth the facts of the person's occupation. The

1 affidavit shall also state the number of offenses committed
2 while operating a vehicle in connection with the driver's
3 regular occupation. The affidavit shall be accompanied by the
4 driver's license. Upon receipt of a properly completed
5 affidavit, the Secretary of State shall issue the driver a
6 permit to operate a vehicle in connection with the driver's
7 regular occupation only. Unless the permit is issued by the
8 Secretary of State prior to the date of suspension, the
9 privilege to drive any motor vehicle shall be suspended as set
10 forth in the notice that was mailed under this Section. If an
11 affidavit is received subsequent to the effective date of this
12 suspension, a permit may be issued for the remainder of the
13 suspension period.

14 The provisions of this subparagraph shall not apply to any
15 driver required to possess a CDL for the purpose of operating a
16 commercial motor vehicle.

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

21 3. At the conclusion of a hearing under Section 2-118 of
22 this Code, the Secretary of State shall either rescind or
23 continue an order of revocation or shall substitute an order
24 of suspension; or, good cause appearing therefor, rescind,
25 continue, change, or extend the order of suspension. If the
26 Secretary of State does not rescind the order and the use of

1 alcohol or other drugs is not stated as an element of the
2 offense, the Secretary may upon application, to relieve undue
3 hardship (as defined by the rules of the Secretary of State),
4 issue a restricted driving permit granting the privilege of
5 driving a motor vehicle between the petitioner's residence and
6 petitioner's place of employment or within the scope of the
7 petitioner's employment-related duties, or to allow the
8 petitioner to transport himself or herself, or a family member
9 of the petitioner's household to a medical facility, to
10 receive necessary medical care, to allow the petitioner to
11 transport himself or herself to and from alcohol or drug
12 remedial or rehabilitative activity recommended by a licensed
13 service provider, or to allow the petitioner to transport
14 himself or herself or a family member of the petitioner's
15 household to classes, as a student, at an accredited
16 educational institution, or to allow the petitioner to
17 transport children, elderly persons, or persons with
18 disabilities who do not hold driving privileges and are living
19 in the petitioner's household to and from daycare. The
20 petitioner must demonstrate that no alternative means of
21 transportation is reasonably available and that the petitioner
22 will not endanger the public safety or welfare. If a person is
23 convicted of any offenses enumerated in this Section and the
24 use of alcohol or other drugs is stated as an element of the
25 offense, the Secretary may in the Secretary's discretion, upon
26 application, issue to the person a restricted driving permit

1 granting the privilege of driving a motor vehicle without
2 regard to hardship under the parameters set forth by the
3 Secretary. The Secretary may adopt administrative rules for
4 the issuance of other types of restricted driving permits that
5 may be issued prior to and after eligibility date for
6 reinstatement in order to protect and further the public
7 safety and welfare.

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

23 (B) If a person's license, ~~or~~ permit, or driving
24 privilege is revoked or suspended 2 or more times due to
25 any combination of:

26 (i) a single conviction of violating Section

1 11-501 of this Code or a similar provision of a local
2 ordinance or a similar out-of-state offense or a
3 similar offense committed on a military installation
4 or Section 9-3 of the Criminal Code of 1961 or the
5 Criminal Code of 2012, where the use of alcohol or
6 other drugs is stated ~~recited~~ as an element of the
7 offense, or a similar out-of-state offense or a
8 similar offense committed on a military installation;
9 or

10 (ii) a statutory summary suspension or revocation
11 under Section 11-501.1 or a suspension under paragraph
12 (6) of subsection (a) of Section 6-206 where alcohol
13 or other drugs is stated as an element of the offense
14 or a suspension under paragraph (31) of subsection (a)
15 of Section 6-206; ~~or~~

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

17 (iv) a single disposition of court supervision of
18 violating Section 11-501 or a similar provision of a
19 local ordinance or a similar out-of-state offense; or

20 (v) a single conviction or disposition of court
21 supervision of violating Section 11-503, a similar
22 provision of a local ordinance or a similar
23 out-of-state offense if the original charge was a
24 violation of Section 11-501 or a similar provision of
25 a local ordinance or a similar out-of-state offense;

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

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

20 (D) The Secretary may grant an employment exception to
21 ~~If the restricted driving permit is issued for employment~~
22 ~~purposes, then~~ the prohibition against operating a motor
23 vehicle that is not equipped with an ignition interlock
24 device to a person operating ~~does not apply to the~~
25 ~~operation of~~ an occupational vehicle owned or leased by
26 that person's employer when used solely for employment

1 purposes. For any person who, within a 5-year period, is
2 convicted of a second or subsequent offense under Section
3 11-501 of this Code, or a similar provision of a local
4 ordinance or similar out-of-state offense or a similar
5 offense committed on a military installation, this
6 employment exemption does not apply until either a
7 one-year period has elapsed during which that person had
8 his or her driving privileges revoked or a one-year period
9 has elapsed during which that person had a restricted
10 driving permit which required the use of an ignition
11 interlock device on every motor vehicle owned or operated
12 by that person.

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

1 permit, require the applicant to participate in a
2 designated driver remedial or rehabilitative program. The
3 Secretary of State is authorized to cancel a restricted
4 driving permit if the permit holder does not successfully
5 complete the program.

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

16 (i) a minimum of 3 years of uninterrupted
17 abstinence from alcohol and the unlawful use or
18 consumption of cannabis under the Cannabis Control
19 Act, a controlled substance under the Illinois
20 Controlled Substances Act, an intoxicating compound
21 under the Use of Intoxicating Compounds Act, or
22 methamphetamine under the Methamphetamine Control and
23 Community Protection Act; and

24 (ii) the successful completion of any
25 rehabilitative treatment and involvement in any
26 ongoing rehabilitative activity that may be

1 recommended by a properly licensed service provider
2 according to an assessment of the person's alcohol or
3 drug use under Section 11-501.01 of this Code.

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

15 A restricted driving permit issued under this
16 subparagraph (F) shall provide that the holder may only
17 operate motor vehicles equipped with an ignition interlock
18 device as required under paragraph (2) of subsection (c)
19 of Section 6-205 of this Code and subparagraph (A) of
20 paragraph 3 of subsection (c) of this Section. The
21 Secretary may revoke a restricted driving permit or amend
22 the conditions of a restricted driving permit issued under
23 this subparagraph (F) if the holder operates a vehicle
24 that is not equipped with an ignition interlock device, or
25 for any other reason authorized under this Code.

26 A restricted driving permit issued under this

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

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

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

25 (c-5) The Secretary of State may, as a condition of the
26 reissuance of a driver's license or permit to an applicant

1 whose driver's license or permit has been suspended before he
2 or she reached the age of 21 years pursuant to any of the
3 provisions of this Section, require the applicant to
4 participate in a driver remedial education course and be
5 retested under Section 6-109 of this Code.

6 (d) This Section is subject to the provisions of the
7 Driver License Compact.

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

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

17 (Source: P.A. 102-299, eff. 8-6-21; 102-558, eff. 8-20-21;
18 102-749, eff. 1-1-23; 102-813, eff. 5-13-22; 102-982, eff.
19 7-1-23; 103-154, eff. 6-30-23; 103-822, eff. 1-1-25.)

20 (625 ILCS 5/6-206.1) (from Ch. 95 1/2, par. 6-206.1)

21 Sec. 6-206.1. Monitoring Device Driving Permit.
22 Declaration of Policy. It is hereby declared a policy of the
23 State of Illinois that the driver who is impaired by alcohol,
24 other drug or drugs, or intoxicating compound or compounds is
25 a threat to the public safety and welfare. Therefore, to

1 provide a deterrent to such practice, a statutory summary
2 driver's license suspension or suspension pursuant to Section
3 11-501.6 of this Code is appropriate. It is also recognized
4 that driving is a privilege and therefore, that the granting
5 of driving privileges, in a manner consistent with public
6 safety, is warranted during the period of suspension in the
7 form of a monitoring device driving permit. A person who
8 drives and fails to comply with the requirements of the
9 monitoring device driving permit commits a violation of
10 Section 6-303 of this Code.

11 The following procedures shall apply whenever a first
12 offender, as defined in Section 11-500 of this Code, is
13 arrested for any offense as defined in Section 11-501 or a
14 similar provision of a local ordinance and is subject to the
15 provisions of Section 11-501.1 or is suspended pursuant to
16 Section 11-501.6 of this Code:

17 (a) Upon mailing of the notice of suspension of driving
18 privileges as provided in subsection (h) of Section 11-501.1
19 or subsection (d) of Section 11-501.6 of this Code, the
20 Secretary shall also send written notice informing the person
21 that he or she will be issued a monitoring device driving
22 permit (MDDP). The notice shall include, at minimum,
23 information summarizing the procedure to be followed for
24 issuance of the MDDP, installation of the breath alcohol
25 ignition installation device (BAIID), as provided in this
26 Section, exemption from BAIID installation requirements, and

1 procedures to be followed by those seeking indigent status, as
2 provided in this Section. The notice shall also include
3 information summarizing the procedure to be followed if the
4 person wishes to decline issuance of the MDDP. ~~A copy of the~~
5 ~~notice shall also be sent to the court of venue together with~~
6 ~~the notice of suspension of driving privileges, as provided in~~
7 ~~subsection (h) of Section 11-501.~~ However, a MDDP shall not be
8 issued if the Secretary finds that:

9 (1) the offender's driver's license is otherwise
10 invalid;

11 (2) death or great bodily harm to another resulted
12 from the arrest for Section 11-501 or from the crash that
13 resulted in the suspension pursuant to Section 11-501.6;

14 (3) the offender has been previously convicted of
15 reckless homicide or aggravated driving under the
16 influence involving death; or

17 (4) the offender is less than 18 years of age.

18 Any offender participating in the MDDP program must pay
19 the Secretary a MDDP Administration Fee in an amount not to
20 exceed \$30 per month, to be deposited into the Monitoring
21 Device Driving Permit Administration Fee Fund. The Secretary
22 shall establish by rule the amount and the procedures, terms,
23 and conditions relating to these fees. The offender must have
24 an ignition interlock device installed within 14 days of the
25 date the Secretary issues the MDDP. The ignition interlock
26 device provider must notify the Secretary, in a manner and

1 form prescribed by the Secretary, of the installation. If the
2 Secretary does not receive notice of installation, the
3 Secretary shall cancel the MDDP.

4 ~~Upon receipt of the notice, as provided in paragraph (a)~~
5 ~~of this Section, the person may file a petition to decline~~
6 ~~issuance of the MDDP with the court of venue. The court shall~~
7 ~~admonish the offender of all consequences of declining~~
8 ~~issuance of the MDDP including, but not limited to, the~~
9 ~~enhanced penalties for driving while suspended. After being so~~
10 ~~admonished, the offender shall be permitted, in writing, to~~
11 ~~execute a notice declining issuance of the MDDP. This notice~~
12 ~~shall be filed with the court and forwarded by the clerk of the~~
13 ~~court to the Secretary. The offender may, at any time~~
14 ~~thereafter, apply to the Secretary for issuance of a MDDP.~~

15 (a-1) A person issued a MDDP may drive for any purpose and
16 at any time, subject to the rules adopted by the Secretary
17 under subsection (g). The person must, at his or her own
18 expense, drive only vehicles equipped with an ignition
19 interlock device as defined in Section 1-129.1, but in no
20 event shall such person drive a commercial motor vehicle.

21 (a-2) Persons who are issued a MDDP and must drive
22 employer-owned vehicles in the course of their employment
23 duties may seek permission to drive an employer-owned vehicle
24 that does not have an ignition interlock device. The employer
25 shall provide to the Secretary a form, as prescribed by the
26 Secretary, completed by the employer verifying that the

1 employee must drive an employer-owned vehicle in the course of
2 employment. If approved by the Secretary, the form must be in
3 the driver's possession while operating an employer-owner
4 vehicle not equipped with an ignition interlock device. No
5 person may use this exemption to drive a school bus, school
6 vehicle, or a vehicle designed to transport more than 15
7 passengers. No person may use this exemption to drive an
8 employer-owned motor vehicle that is owned by an entity that
9 is wholly or partially owned by the person holding the MDDP, or
10 by a family member of the person holding the MDDP. No person
11 may use this exemption to drive an employer-owned vehicle that
12 is made available to the employee for personal use. No person
13 may drive the exempted vehicle more than 12 hours per day, 6
14 days per week.

15 (a-3) Persons who are issued a MDDP and who must drive a
16 farm tractor to and from a farm, within 50 air miles from the
17 originating farm are exempt from installation of a BAIID on
18 the farm tractor, so long as the farm tractor is being used for
19 the exclusive purpose of conducting farm operations.

20 (b) (Blank).

21 (c) (Blank).

22 (c-1) If the holder of the MDDP is convicted of or receives
23 court supervision for a violation of Section 6-206.2, 6-303,
24 11-204, 11-204.1, 11-401, 11-501, 11-503, 11-506 or a similar
25 provision of a local ordinance or a similar out-of-state
26 offense or is convicted of or receives court supervision for

1 any offense for which alcohol or drugs is an element of the
2 offense and in which a motor vehicle was involved (for an
3 arrest other than the one for which the MDDP is issued), or
4 de-installs the BAIID without prior authorization from the
5 Secretary, the MDDP shall be cancelled.

6 (c-5) If the Secretary determines that the person seeking
7 the MDDP is indigent, the Secretary shall provide the person
8 with a written document as evidence of that determination, and
9 the person shall provide that written document to an ignition
10 interlock device provider. The provider shall install an
11 ignition interlock device on that person's vehicle without
12 charge to the person, and seek reimbursement from the Indigent
13 BAIID Fund. If the Secretary has deemed an offender indigent,
14 the BAIID provider shall also provide the normal monthly
15 monitoring services and the de-installation without charge to
16 the offender and seek reimbursement from the Indigent BAIID
17 Fund. Any other monetary charges, such as a lockout fee or
18 reset fee, shall be the responsibility of the MDDP holder. A
19 BAIID provider may not seek a security deposit from the
20 Indigent BAIID Fund.

21 (d) MDDP information shall be available only to the
22 courts, police officers, and the Secretary, except during the
23 actual period the MDDP is valid, during which time it shall be
24 a public record.

25 (e) (Blank).

26 (f) (Blank).

1 (g) The Secretary shall adopt rules for implementing this
2 Section. The rules adopted shall address issues including, but
3 not limited to: compliance with the requirements of the MDDP;
4 methods for determining compliance with those requirements;
5 the consequences of noncompliance with those requirements;
6 what constitutes a violation of the MDDP; methods for
7 determining indigency; and the duties of a person or entity
8 that supplies the ignition interlock device.

9 (h) The rules adopted under subsection (g) shall provide,
10 at a minimum, that the person is not in compliance with the
11 requirements of the MDDP if he or she:

12 (1) tampers or attempts to tamper with or circumvent
13 the proper operation of the ignition interlock device;

14 (2) provides valid breath samples that register blood
15 alcohol levels in excess of the number of times allowed
16 under the rules;

17 (3) fails to provide evidence sufficient to satisfy
18 the Secretary that the ignition interlock device has been
19 installed in the designated vehicle or vehicles; or

20 (4) fails to follow any other applicable rules adopted
21 by the Secretary.

22 (i) Any person or entity that supplies an ignition
23 interlock device as provided under this Section shall, in
24 addition to supplying only those devices which fully comply
25 with all the rules adopted under subsection (g), provide the
26 Secretary, within 7 days of inspection, all monitoring reports

1 of each person who has had an ignition interlock device
2 installed. These reports shall be furnished in a manner or
3 form as prescribed by the Secretary.

4 (j) Upon making a determination that a violation of the
5 requirements of the MDDP has occurred, the Secretary shall
6 extend the ~~summary~~ suspension period for an additional 3
7 months beyond the originally imposed ~~summary~~ suspension
8 period, during which time the person shall only be allowed to
9 drive vehicles equipped with an ignition interlock device;
10 provided further there are no limitations on the total number
11 of times the summary suspension may be extended. The Secretary
12 may, however, limit the number of extensions imposed for
13 violations occurring during any one monitoring period, as set
14 forth by rule. Any person whose ~~summary~~ suspension is extended
15 pursuant to this Section shall have the right to contest the
16 extension through a hearing with the Secretary, pursuant to
17 Section 2-118 of this Code. If the ~~summary~~ suspension has
18 already terminated prior to the Secretary receiving the
19 monitoring report that shows a violation, the Secretary shall
20 be authorized to suspend the person's driving privileges for 3
21 months, provided that the Secretary may, by rule, limit the
22 number of suspensions to be entered pursuant to this paragraph
23 for violations occurring during any one monitoring period. Any
24 person whose license is suspended pursuant to this paragraph,
25 after the ~~summary~~ suspension had already terminated, shall
26 have the right to contest the suspension through a hearing

1 with the Secretary, pursuant to Section 2-118 of this Code.
2 The only permit the person shall be eligible for during this
3 new suspension period is a MDDP.

4 (k) A person who has had his or her ~~summary~~ suspension
5 extended for the third time, or has any combination of 3
6 extensions and new suspensions, entered as a result of a
7 violation that occurred while holding the MDDP, so long as the
8 extensions and new suspensions relate to the same ~~summary~~
9 suspension, shall have his or her vehicle impounded for a
10 period of 30 days, at the person's own expense. A person who
11 has his or her ~~summary~~ suspension extended for the fourth
12 time, or has any combination of 4 extensions and new
13 suspensions, entered as a result of a violation that occurred
14 while holding the MDDP, so long as the extensions and new
15 suspensions relate to the same ~~summary~~ suspension, shall have
16 his or her vehicle subject to seizure and forfeiture. The
17 Secretary shall notify the prosecuting authority of any third
18 or fourth extensions or new suspension entered as a result of a
19 violation that occurred while the person held a MDDP. Upon
20 receipt of the notification, the prosecuting authority shall
21 impound or forfeit the vehicle. The impoundment or forfeiture
22 of a vehicle shall be conducted pursuant to the procedure
23 specified in Article 36 of the Criminal Code of 2012.

24 (l) A person whose driving privileges have been suspended
25 under Section 11-501.1 or Section
26 11-501.6 of this Code and who had a MDDP that was

1 cancelled, or would have been cancelled had notification of a
2 violation been received prior to expiration of the MDDP,
3 pursuant to subsection (c-1) of this Section, shall not be
4 eligible for reinstatement when the ~~summary~~ suspension is
5 scheduled to terminate. Instead, the person's driving
6 privileges shall be suspended for a period of not less than
7 twice the original ~~summary~~ suspension period, or for the
8 length of any extensions entered under subsection (j),
9 whichever is longer. During the period of suspension, the
10 person shall be eligible only to apply for a restricted
11 driving permit. If a restricted driving permit is granted, the
12 offender may only operate vehicles equipped with a BAIID in
13 accordance with this Section.

14 (m) Any person or entity that supplies an ignition
15 interlock device under this Section shall, for each ignition
16 interlock device installed, pay 5% of the total gross revenue
17 received for the device, including monthly monitoring fees,
18 into the Indigent BAIID Fund. This 5% shall be clearly
19 indicated as a separate surcharge on each invoice that is
20 issued. The Secretary shall conduct an annual review of the
21 fund to determine whether the surcharge is sufficient to
22 provide for indigent users. The Secretary may increase or
23 decrease this surcharge requirement as needed.

24 (n) Any person or entity that supplies an ignition
25 interlock device under this Section that is requested to
26 provide an ignition interlock device to a person who presents

1 written documentation of indigency from the Secretary, as
2 provided in subsection (c-5) of this Section, shall install
3 the device on the person's vehicle without charge to the
4 person and shall seek reimbursement from the Indigent BAIID
5 Fund.

6 (o) The Indigent BAIID Fund is created as a special fund in
7 the State treasury. The Secretary shall, subject to
8 appropriation by the General Assembly, use all money in the
9 Indigent BAIID Fund to reimburse ignition interlock device
10 providers who have installed devices in vehicles of indigent
11 persons. The Secretary shall make payments to such providers
12 every 3 months. If the amount of money in the fund at the time
13 payments are made is not sufficient to pay all requests for
14 reimbursement submitted during that 3 month period, the
15 Secretary shall make payments on a pro-rata basis, and those
16 payments shall be considered payment in full for the requests
17 submitted. If the amount of money in the fund exceeds the
18 amount necessary to pay all requests for reimbursement during
19 that 3-month period, the Secretary shall disburse the excess
20 to the providers on a pro rata basis.

21 (p) The Monitoring Device Driving Permit Administration
22 Fee Fund is created as a special fund in the State treasury.
23 The Secretary shall, subject to appropriation by the General
24 Assembly, use the money paid into this fund to offset its
25 administrative costs for administering MDDPs.

26 (q) The Secretary is authorized to prescribe such forms as

1 it deems necessary to carry out the provisions of this
2 Section.

3 (r) For purposes of this Section, "great bodily harm"
4 means means bodily injury that involves a substantial risk of
5 death, extreme physical pain, protracted and obvious
6 disfigurement, or protracted loss or impairment of the
7 function of a bodily member, organ, or mental faculty.

8 (Source: P.A. 101-363, eff. 8-9-19; 101-593, eff. 12-4-19;
9 102-699, eff. 4-19-22.)

10 (625 ILCS 5/6-208) (from Ch. 95 1/2, par. 6-208)

11 Sec. 6-208. Period of suspension - application after
12 revocation.

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

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

25 1. Except as provided in subparagraphs 1.3, 1.5, 2, 3,

1 4, and 5, the person may make application for a license (A)
2 after the expiration of one year from the effective date
3 of the revocation, (B) in the case of a violation of
4 paragraph (b) of Section 11-401 of this Code or a similar
5 provision of a local ordinance, after the expiration of 3
6 years from the effective date of the revocation, or (C) in
7 the case of a violation of Section 9-3 of the Criminal Code
8 of 1961 or the Criminal Code of 2012 or a similar provision
9 of a law of another state or a similar offense committed on
10 a military installation relating to the offense of
11 reckless homicide or a violation of subparagraph (F) of
12 paragraph 1 of subsection (d) of Section 11-501 of this
13 Code relating to aggravated driving under the influence of
14 alcohol, other drug or drugs, intoxicating compound or
15 compounds, or any combination thereof, a similar provision
16 of a law of another state, or a similar offense committed
17 on a military installation, if the violation was the
18 proximate cause of a death, after the expiration of 2
19 years from the effective date of the revocation or after
20 the expiration of 24 months from the date of release from a
21 period of imprisonment as provided in Section 6-103 of
22 this Code, whichever is later.

23 1.3. If the person is convicted of a second or
24 subsequent violation of Section 11-501 of this Code or a
25 similar provision of a local ordinance or a similar
26 out-of-state offense, or a similar offense committed on a

1 military installation, or Section 9-3 of the Criminal Code
2 of 1961 or the Criminal Code of 2012, in which the use of
3 alcohol or other drugs is stated ~~recited~~ as an element of
4 the offense, or a similar out-of-state offense, or a
5 similar offense committed on a military installation, ~~or a~~
6 ~~combination of these offenses, arising out of separate~~
7 ~~occurrences~~, that person may not make application for a
8 driver's license until:

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

11 (B) the expiration of a ~~continuous~~ period of not
12 less than 5 years following the issuance of the
13 restricted driving permit during which the person had
14 an ignition interlock installed and the person's
15 restricted driving permit is not suspended, cancelled,
16 or revoked for a violation of any provision of law, or
17 any rule or regulation of the Secretary of State
18 relating to the required use of an ignition interlock
19 device.

20 1.5. If the person is convicted of a violation of
21 Section 6-303 of this Code committed while his or her
22 driver's license, permit, or privilege was revoked because
23 of a violation of Section 9-3 of the Criminal Code of 1961
24 or the Criminal Code of 2012, relating to the offense of
25 reckless homicide or subparagraph (F) of paragraph (1) of
26 subsection (d) of Section 11-501 of this Code, or a

1 similar provision of a law of another state, or a similar
2 offense committed on a military installation, the person
3 may not make application for a license or permit until the
4 expiration of 3 years from the date of the conviction.

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

7 (A) Section 11-501 of this Code, ~~or~~ a similar
8 provision of a local ordinance, a similar provision of
9 a law of another state, or a similar offense committed
10 on a military installation;

11 (B) Paragraph (b) of Section 11-401 of this Code, ~~or~~
12 ~~or~~ a similar provision of a local ordinance, a similar
13 provision of a law of another state, or a similar
14 offense committed on a military installation;

15 (C) Section 9-3 of the Criminal Code of 1961 or the
16 Criminal Code of 2012, relating to the offense of
17 reckless homicide, a similar provision of a law of
18 another state, or a similar offense committed on a
19 military installation; or

20 (D) any combination of the above offenses
21 committed at different instances;

22 then such person may not make application for a license
23 until after the expiration of 5 years from the effective
24 date of the most recent revocation. The 20-year period
25 shall be computed by using the dates the offenses were
26 committed and shall also include similar out-of-state

1 offenses and similar offenses committed on a military
2 installation.

3 2.5. If a person is convicted of a second violation of
4 Section 6-303 of this Code committed while the person's
5 driver's license, permit, or privilege was revoked because
6 of a violation of Section 9-3 of the Criminal Code of 1961
7 or the Criminal Code of 2012, relating to the offense of
8 reckless homicide or subparagraph (F) of paragraph (1) of
9 subsection (d) of Section 11-501 of this Code, ~~or~~ a
10 similar provision of a law of another state, or a similar
11 offense committed on a military installation, the person
12 may not make application for a license or permit until the
13 expiration of 5 years from the date of release from a term
14 of imprisonment.

15 3. However, except as provided in subparagraph 4, if
16 such person is convicted of committing a third violation
17 or any combination of the above offenses, including
18 similar out-of-state offenses and similar offenses
19 committed on a military installation, contained in
20 subparagraph 2, then such person may not make application
21 for a license until after the expiration of 10 years from
22 the effective date of the most recent revocation.

23 4. Except as provided in paragraph (1.5) of subsection
24 (c) of Section 6-205 and subparagraph (F) of paragraph 3
25 of subsection (c) of Section 6-206 of this Code, the
26 person may not make application for a license if the

1 person is convicted of committing a fourth or subsequent
2 violation of Section 11-501 of this Code or a similar
3 provision of a local ordinance, Section 11-401 of this
4 Code, Section 9-3 of the Criminal Code of 1961 or the
5 Criminal Code of 2012, or a combination of these offenses,
6 similar provisions of local ordinances, similar
7 out-of-state offenses, or similar offenses committed on a
8 military installation.

9 4.5. A bona fide resident of a foreign jurisdiction
10 who is subject to the provisions of subparagraph 4 of this
11 subsection (b) may make application for termination of the
12 revocation after a period of 10 years from the effective
13 date of the most recent revocation. However, if a person
14 who has been granted a termination of revocation under
15 this subparagraph 4.5 subsequently becomes a resident of
16 this State, the revocation shall be reinstated and the
17 person shall be subject to the provisions of subparagraph
18 4.

19 5. The person may not make application for a license
20 or permit if the person is convicted of a third or
21 subsequent violation of Section 6-303 of this Code
22 committed while his or her driver's license, permit, or
23 privilege was revoked because of a violation of Section
24 9-3 of the Criminal Code of 1961 or the Criminal Code of
25 2012, relating to the offense of reckless homicide or
26 subparagraph (F) of paragraph (1) of subsection (d) of

1 Section 11-501 of this Code, ~~or~~ a similar provision of a
2 law of another state, or a similar offense committed on a
3 military installation,.

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

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

15 (c) (Blank).

16 (Source: P.A. 99-290, eff. 1-1-16; 99-296, eff. 1-1-16;
17 99-642, eff. 7-28-16.)".