



Rep. Martha Deuter

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LRB104 18443 LNS 36713 a

1 AMENDMENT TO HOUSE BILL 4948

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4948 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding  
5 Sections 5.1038 and 5.1039 as follows:

6 (30 ILCS 105/5.1038 new)

7 Sec. 5.1038. The Indigent Intelligent Speed Assistance  
8 Device Fund.

9 (30 ILCS 105/5.1039 new)

10 Sec. 5.1039. The Intelligent Speed Assistance Permit Fee  
11 Fund.

12 Section 10. The Illinois Vehicle Code is amended by  
13 changing Section 6-208 and by adding Section 6-206.3 as  
14 follows:

1 (625 ILCS 5/6-206.3 new)

2 Sec. 6-206.3. Intelligent Speed Assistance Program;  
3 Intelligent Speed Assistance Permit.

4 (a) The General Assembly finds that:

5 (1) speeding is a contributing factor in approximately  
6 29% of all traffic fatalities in the United States,  
7 resulting in over 12,000 deaths annually, as documented by  
8 the National Highway Traffic Safety Administration;

9 (2) traditional enforcement methods, including fines,  
10 license points, and suspensions, have proven insufficient  
11 to deter the most dangerous repeat speeders;

12 (3) approximately 75% of drivers with suspended  
13 licenses continue to drive, creating ongoing public safety  
14 risks, as documented in research published by the National  
15 Cooperative Highway Research Program;

16 (4) intelligent speed assistance technology provides a  
17 proven, cost-effective alternative to license suspension  
18 that maintains individual mobility while protecting public  
19 safety;

20 (5) intelligent speed assistance technology has  
21 demonstrated significant safety benefits in municipal  
22 fleet pilot programs, including a 64% reduction in  
23 speeding in New York City's program, as documented by the  
24 New York City Department of Citywide Administrative  
25 Services in partnership with the United States Department

1 of Transportation Volpe National Transportation Systems  
2 Center; and

3 (6) interstate travel is common, and drivers subject  
4 to intelligent speed assistance requirements in one  
5 jurisdiction frequently operate vehicles in other  
6 jurisdictions.

7 (b) The purposes of this Section are to:

8 (1) establish a uniform Intelligent Speed Assistance  
9 Program applicable to repeat and egregious speed  
10 violators;

11 (2) provide an alternative to driver's license  
12 suspension that maintains mobility while ensuring public  
13 safety;

14 (3) create uniform violation standards and Program  
15 requirements to ensure continuity when participants travel  
16 or relocate between jurisdictions;

17 (4) establish clear lines of authority for Program  
18 administration and enforcement;

19 (5) protect participant privacy while enabling  
20 necessary data sharing for Program integrity;

21 (6) ensure Program sustainability through  
22 participant-funded cost recovery;

23 (7) enable interstate reciprocity and data exchange;  
24 and

25 (8) establish uniform penalties for tampering and  
26 noncompliance.

1       (c) As used in this Section:

2       "Active intelligent speed assistance device" or  
3       "intelligent speed assistance device" means an aftermarket  
4       device that actively prevents a motor vehicle from exceeding  
5       the applicable speed limit and does not interact with the  
6       braking system and is installed in or integrated with a motor  
7       vehicle that determines the applicable speed limit and  
8       prevents the vehicle from exceeding that limit, excluding  
9       dynamic speed zones, using technology such as, but not limited  
10      to, integrated location-based technology, digital mapping  
11      data, or camera-based sign recognition. "Active intelligent  
12      speed assistance device" or "intelligent speed assistance  
13      device" includes all necessary components for installation,  
14      operation, monitoring, and data transmission.

15      "Approved service provider" or "service provider" means a  
16      person, firm, or business entity certified by the Secretary of  
17      State to install, service, tune, monitor, and remove active  
18      intelligent speed assistance devices in accordance with  
19      standards established under this Section.

20      "Driver record" means the record maintained by the  
21      Secretary of State or obtained from another jurisdiction  
22      through the National Driver Register, the Commercial Driver  
23      License Information System, or the State-to-State Verification  
24      Service containing information about a person's driver  
25      history, including convictions, restrictions, and suspensions.

26      "Dynamic speed zone" means an area where speed limits are

1 adjusted based upon certain conditions.

2 "Enrollment" means the date an intelligent speed  
3 assistance device is installed after an Intelligent Speed  
4 Assistance Permit is issued.

5 "Failure to maintain" means the participant's failure to  
6 keep the active intelligent speed assistance device in proper  
7 working order at all times, including, but not limited to, any  
8 loss of device power for 24 continuous hours or more or any  
9 device lockout.

10 "Intelligent Speed Assistance Permit" or "Permit" means a  
11 permit issued to a participant in the Intelligent Speed  
12 Assistance Program that allows the participant to drive only  
13 vehicles equipped with an active intelligent speed assistance  
14 device.

15 "Intelligent Speed Assistance Program" or "Program" means  
16 the Intelligent Speed Assistance Program established under  
17 this Section.

18 "Participant" means a person who elects to install or is  
19 required to install an active intelligent speed assistance  
20 device upon suspension of the person's driver's license for  
21 conviction of 2 qualifying offenses in a 12-month period and  
22 who is restricted to operating only vehicles equipped with an  
23 active intelligent speed assistance device under this Section.

24 "Participating jurisdiction" means any state, territory,  
25 or the District of Columbia that has enacted substantially  
26 similar legislation to this Section.

1       "Program violation" means tampering with, circumventing,  
2 unauthorized removal of the device, or other activities as  
3 defined by the Secretary of State.

4       "Qualifying offense" means a conviction of a violation of  
5 Section 11-601.5 for driving 26 miles per hour or more in  
6 excess of the applicable speed limit or a similar conviction  
7 in another jurisdiction.

8       "Tamper" means any act intended to disable, circumvent, or  
9 interfere with the proper operation of an active intelligent  
10 speed assistance device, including, but not limited to,  
11 unauthorized removal, physically damaging the device,  
12 disconnecting electrical connections, installing signal  
13 jammers or GPS blockers, or altering or manipulating software.

14       "Tune" means the process by which the intelligent speed  
15 assistance device acquires vehicle data necessary for proper  
16 functionality.

17       (d) The Secretary of State shall administer the  
18 Intelligent Speed Assistance Program and shall:

19           (1) establish a method for active intelligent speed  
20 assistance device approval;

21           (2) approve service providers;

22           (3) maintain records of all Program participants;

23           (4) coordinate with courts and law enforcement  
24 regarding participant enrollment and compliance;

25           (5) exchange participant data with other participating  
26 jurisdictions; and

1           (6) establish procedures for Program requirements.

2           (e) The Secretary shall suspend the driver's license or  
3 driving privileges of a driver who commits 2 qualifying  
4 offenses within a 12-month period as follows:

5           (1) A 12-month suspension shall be entered by the  
6 Secretary for a first suspension under this Section. The  
7 Secretary shall notify the driver that if the driver  
8 enrolls in the Program and successfully drives on a Permit  
9 for 6 months without a violation of the Program, the  
10 suspension will terminate.

11           (2) The Secretary shall notify a driver whose license  
12 or privileges are suspended for a second time under this  
13 Section that the suspension shall remain in effect until  
14 the driver enrolls in the Program and successfully drives  
15 on a Permit for 12 months without a violation of the  
16 Program.

17           (3) The Secretary shall notify a driver whose license  
18 or privileges has been suspended for a third or subsequent  
19 time under this Section that the suspension shall remain  
20 in effect until the driver enrolls in the Program and  
21 successfully drives on a Permit for 24 months without a  
22 violation of the Program.

23           A driver who elects to participate in the Program shall  
24 return the application to the Secretary. A driver who is  
25 required to participate in the Program shall return the  
26 application to the Secretary within 14 days of the effective

1 date of the suspension of the person's license or privileges.  
2 A Permit shall not be issued if the Secretary finds that the  
3 participant's driver's license is otherwise invalid or death  
4 resulted from one of the qualifying offenses.

5 The participant shall have 14 days from the date the  
6 Permit is issued to have an active intelligent speed  
7 assistance device installed by an approved service provider.  
8 An approved service provider shall provide proof of  
9 installation to the Secretary within 14 days in a manner and  
10 form prescribed by the Secretary. If the Secretary does not  
11 receive notice of installation, the Secretary shall cancel the  
12 Permit.

13 A participant in the Program must pay the Secretary a  
14 Permit administration fee in an amount not to exceed \$30 per  
15 month, to be deposited into the Intelligent Speed Assistance  
16 Permit Fee Fund.

17 (f) A Permit shall be cancelled if the participant  
18 uninstalls the active intelligent speed assistance device  
19 without prior authorization from the Secretary.

20 (g) The Secretary shall record the following data to the  
21 driver record:

22 (1) the participant's full name, date of birth, and  
23 driver's license number;

24 (2) the participant's qualifying offenses;

25 (3) the participant's Program enrollment date; and

26 (4) the participant's Program completion date.

1       (h) A person issued a Permit may drive for any purpose and  
2 at any time, subject to the rules adopted by the Secretary  
3 under subsection (r). The person must, at his or her own  
4 expense, drive only vehicles equipped with an active  
5 intelligent speed assistance device, but in no event shall the  
6 person drive a commercial motor vehicle.

7       (i) The Secretary shall recognize and enforce minimum  
8 enrollment periods imposed by a participating jurisdiction if  
9 both states are participating jurisdictions.

10       (j) A participant who is issued a Permit and must drive  
11 employer-owned vehicles in the course of the participant's  
12 employment duties may seek permission to drive an  
13 employer-owned vehicle that does not have an active  
14 intelligent speed assistance device. The employer shall  
15 provide to the Secretary a form, as prescribed by the  
16 Secretary, completed by the employer verifying that the  
17 employee must drive an employer-owned vehicle in the course of  
18 employment. If approved by the Secretary, the form must be in  
19 the participant's possession while operating an employer-owned  
20 vehicle not equipped with an active intelligent speed  
21 assistance device.

22       This exemption does not apply to a participant to allow  
23 the participant:

24           (1) to drive a school bus, school vehicle, a vehicle  
25           designed to transport more than 15 passengers, or a  
26           commercial motor vehicle;

1           (2) to drive an employer-owned motor vehicle that is  
2           owned by an entity that is wholly or partially owned by the  
3           participant or by a family member of the participant;

4           (3) to drive an employer-owned vehicle that is made  
5           available to the participant for personal use; or

6           (4) to drive an exempted vehicle for more than 12  
7           hours per day, 6 days per week.

8           (k) The Indigent Intelligent Speed Assistance Device Fund  
9           is created as a special fund in the State treasury. If the  
10           Secretary determines that a participant is indigent, the  
11           Secretary shall provide the participant with a written  
12           document as evidence of that determination, and the  
13           participant shall provide that written document to an approved  
14           service provider. The service provider shall install an active  
15           intelligent speed assistance device on the participant's  
16           vehicle without charge to the participant, and seek  
17           reimbursement from the Indigent Intelligent Speed Assistance  
18           Device Fund.

19           If the Secretary has deemed a participant indigent, the  
20           service provider shall also provide the normal monthly  
21           monitoring services and the uninstallation without charge to  
22           the participant and seek reimbursement from the Indigent  
23           Intelligent Speed Assistance Device Fund. Any other monetary  
24           charges shall be the responsibility of the participant. A  
25           service provider may not seek a security deposit from the  
26           Indigent Intelligent Speed Assistance Device Fund.

1       (1) A service provider shall, for each active intelligent  
2 speed assistance device, pay 5% of the total gross revenue  
3 received for the intelligent speed assistance device,  
4 including monthly monitoring fees, into the Indigent  
5 Intelligent Speed Assistance Device Fund. This 5% shall be  
6 clearly indicated as a separate surcharge on each invoice that  
7 is issued. The Secretary shall conduct an annual review of the  
8 Indigent Intelligent Speed Assistance Device Fund to determine  
9 whether the surcharge is sufficient to provide for indigent  
10 participants. The Secretary may increase or decrease this  
11 surcharge requirement as needed. The Secretary shall, subject  
12 to appropriation by the General Assembly, use all money in the  
13 Indigent Intelligent Speed Assistance Device Fund to reimburse  
14 service providers who have installed devices in vehicles of  
15 indigent participants. The Secretary shall make payments to  
16 the service providers every 3 months. If the amount of money in  
17 the Indigent Intelligent Speed Assistance Device Fund at the  
18 time payments are made is not sufficient to pay all requests  
19 for reimbursement submitted during that 3-month period, the  
20 Secretary shall make payments on a pro rata basis, and those  
21 payments shall be considered payment in full for the requests  
22 submitted. If the amount of money in the Indigent Intelligent  
23 Speed Assistance Device Fund exceeds the amount necessary to  
24 pay all requests for reimbursement during that 3-month period,  
25 the excess amount shall remain in the Indigent Intelligent  
26 Speed Assistance Device Fund. At the end of the fiscal year,

1 the excess amount shall be transferred to the Intelligent  
2 Speed Assistance Permit Fee Fund.

3 (m) Upon making a determination that a violation of the  
4 requirements of the Program has occurred, the Secretary shall,  
5 if the participant's driver's license is suspended, extend the  
6 participant's enrollment in the Program for 90 days. If the  
7 driver's license suspension has already terminated prior to  
8 the Secretary receiving the monitoring report that shows a  
9 violation of the Program, the Secretary is authorized to  
10 suspend the person's driving privileges for 90 days.

11 (n) If a person subject to intelligent speed assistance  
12 program requirements in another participating jurisdiction  
13 establishes legal residence in this State:

14 (1) the person shall be deemed a participant in this  
15 State's Program;

16 (2) the person shall comply with all requirements of  
17 this Section as if originally enrolled in this State's  
18 Program;

19 (3) the remaining duration of the person's enrollment  
20 period shall continue uninterrupted;

21 (4) the person shall notify the Secretary of the  
22 person's participating jurisdiction intelligent speed  
23 assistance program status as part of establishing  
24 residence;

25 (5) the Secretary shall assume administrative  
26 responsibility for the participant;

1           (6) the enrollment period and all Program requirements  
2           shall continue without interruption;

3           (7) the participant shall verify that the  
4           participant's active intelligent speed assistance device  
5           meets this State's requirements within 30 days or install  
6           a compliant intelligent speed assistance device; and

7           (8) the Secretary shall issue a Permit with an S  
8           license restriction code to the Program participant.

9           (o) If a participant relocates to a nonparticipating  
10          jurisdiction and establishes residency:

11           (1) for a driver who is not required to participate in  
12           the Program, the Secretary shall immediately cancel the  
13           participant's Permit and the participant shall be required  
14           to serve the remainder of the 12-month suspension imposed  
15           under subsection (e);

16           (2) for a driver who is required to participate in the  
17           Program, the Secretary shall immediately cancel the  
18           participant's Permit, the suspension imposed under  
19           subsection (e) shall terminate, and the Secretary shall  
20           impose a suspension for the period during which the driver  
21           is required to use an active intelligent speed assistance  
22           device.

23           A participant shall be given credit for any time served on  
24           the suspension imposed under subsection (e) prior to the  
25           cancellation of the Permit.

26           (p) Participating jurisdictions shall exchange the

1 following information about participants:

2 (1) the full name, date of birth, and driver's license  
3 number;

4 (2) the qualifying offenses and conviction dates;

5 (3) Program enrollment date and scheduled completion  
6 date;

7 (4) the number of qualifying offenses;

8 (5) the history of Program enrollment; and

9 (6) Program violations.

10 All interstate data exchanges shall use secure  
11 transmission protocols, comply with all applicable federal and  
12 State privacy laws, and be limited to information necessary  
13 for Program administration and public safety.

14 (q) Service providers shall only collect the following  
15 data:

16 (1) the participating driver's full name and driver's  
17 license number;

18 (2) the intelligent speed assistance device  
19 identification number;

20 (3) the vehicle identification number;

21 (4) the date, time, and duration of vehicle operation;

22 (5) the posted speed limit at the vehicle's location;

23 (6) the vehicle speed;

24 (7) any override events, including the date, time, and  
25 duration;

26 (8) any tampering attempts or device malfunctions; and

1           (9) location coordinates, which shall be retained only  
2           for compliance verification, not for general location  
3           tracking.

4           A service provider shall retain Program participation data  
5           specified in paragraphs (1) through (3) for the duration of  
6           Program participation or any period as defined by the  
7           Secretary and in compliance with State laws and rules. A  
8           service provider shall retain Program participation data  
9           specified in paragraphs (4) through (9) for 30 days from the  
10           date the data was collected or any period as defined by the  
11           Secretary and in compliance with State laws and rules and must  
12           securely delete or dispose of the data upon expiration of the  
13           30-day period. Except as necessary to administer the Program,  
14           which includes providing Program participation data specified  
15           in paragraphs (1) through (9) of this subsection to the  
16           Secretary, a service provider in possession of Program  
17           participation data specified in paragraphs (1) through (9)  
18           shall not otherwise disclose, sell, share, allow access to, or  
19           otherwise disseminate the data.

20           (r) The Secretary may adopt rules necessary to implement  
21           the Program, in consultation with the Illinois State Police,  
22           including, but not limited to:

23           (1) specifications and technical standards for active  
24           intelligent speed assistance devices, including minimum  
25           intelligent speed assistance device capabilities,  
26           including the speed the vehicle is limited to relative to

1 the speed limit and law enforcement verification  
2 protocols;

3 (2) standards and procedures for approved service  
4 providers;

5 (3) active intelligent speed assistance device  
6 installation, transfer, inspection, including inspection  
7 by law enforcement, or removal;

8 (4) data security, retention, and privacy protocols;

9 (5) procedures for interstate data exchange;

10 (6) indigent qualifications;

11 (7) compliance monitoring and violation reporting;

12 (8) what constitutes a violation of the Program; and

13 (9) procedures for the Secretary to provide  
14 Intelligent Speed Assistance data to law enforcement when  
15 the Intelligent Speed Assistance Permit holder is involved  
16 in a traffic crash while operating a motor vehicle  
17 equipped with an Intelligent Speed Assistance device.

18 (s) The Intelligent Speed Assistance Permit Fee Fund is  
19 created as a special fund in the State treasury. The Secretary  
20 shall, subject to appropriation by the General Assembly, use  
21 the money paid into the Intelligent Speed Assistance Permit  
22 Fee Fund to offset its administrative costs for administering  
23 Intelligent Speed Assistance Permits.

24 (t) It is unlawful for any person whose driving privilege  
25 is restricted by being prohibited from operating a motor  
26 vehicle not equipped with an intelligent speed assistance

1 device to operate a motor vehicle not equipped with an  
2 intelligent speed assistance device.

3 (u) It is unlawful to tamper with or circumvent an  
4 intelligent speed assistance device.

5 (v) A person convicted of violation of subsection (t) or  
6 (u) is guilty of a Class A misdemeanor.

7 (625 ILCS 5/6-208) (from Ch. 95 1/2, par. 6-208)

8 Sec. 6-208. Period of suspension - application after  
9 revocation.

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

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

22 1. Except as provided in subparagraphs 1.3, 1.5, 2, 3,  
23 4, and 5, the person may make application for a license (A)  
24 after the expiration of one year from the effective date  
25 of the revocation, (B) in the case of a violation of

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

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

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

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

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

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

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

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

26 (C) Section 9-3 of the Criminal Code of 1961 or the

1 Criminal Code of 2012, relating to the offense of  
2 reckless homicide; or

3 (D) any combination of the above offenses  
4 committed at different instances;

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

12 2.5. If a person is convicted of a second violation of  
13 Section 6-303 of this Code committed while the person's  
14 driver's license, permit, or privilege was revoked because  
15 of a violation of Section 9-3 of the Criminal Code of 1961  
16 or the Criminal Code of 2012, relating to the offense of  
17 reckless homicide, or a similar provision of a law of  
18 another state, the person may not make application for a  
19 license or permit until the expiration of 5 years from the  
20 date of release from a term of imprisonment.

21 3. However, except as provided in subparagraph 4, if  
22 such person is convicted of committing a third violation  
23 or any combination of the above offenses, including  
24 similar out-of-state offenses and similar offenses  
25 committed on a military installation, contained in  
26 subparagraph 2, then such person may not make application

1 for a license until after the expiration of 10 years from  
2 the effective date of the most recent revocation.

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

15 4.5. A bona fide resident of a foreign jurisdiction  
16 who is subject to the provisions of subparagraph 4 of this  
17 subsection (b) may make application for termination of the  
18 revocation after a period of 10 years from the effective  
19 date of the most recent revocation. However, if a person  
20 who has been granted a termination of revocation under  
21 this subparagraph 4.5 subsequently becomes a resident of  
22 this State, the revocation shall be reinstated and the  
23 person shall be subject to the provisions of subparagraph  
24 4.

25 5. The person may not make application for a license  
26 or permit if the person is convicted of a third or

1 subsequent violation of Section 6-303 of this Code  
2 committed while his or her driver's license, permit, or  
3 privilege was revoked because of a violation of Section  
4 9-3 of the Criminal Code of 1961 or the Criminal Code of  
5 2012, relating to the offense of reckless homicide, or a  
6 similar provision of a law of another state.

7 6. If the person's driving privilege is revoked under  
8 paragraph (16) of subsection (a) of Section 6-205 where  
9 the driver was convicted of a violation of Section  
10 11-601.5, that person may not make application for a  
11 driver's license until the person has first been issued a  
12 restricted driving permit requiring the use of an  
13 intelligent speed assistance device by the Secretary of  
14 State and (i) if the person has not previously been  
15 enrolled in the Intelligent Speed Assistance Program, the  
16 expiration of not less than 365 days following the  
17 issuance of a restricted driving permit requiring the use  
18 of an intelligent speed assistance device during which the  
19 person's restricted driving permit is not suspended,  
20 cancelled, or revoked for a violation of a provision of  
21 law or rule of the Secretary of State, including, but not  
22 limited to, a violation of the intelligent speed  
23 assistance device, (ii) if the person has previously been  
24 enrolled in the Intelligent Speed Assistance Program one  
25 time, the expiration of not less than 730 days following  
26 the issuance of a restricted driving permit requiring the

1       use of an intelligent speed assistance device during which  
2       the person's restricted driving permit is not suspended,  
3       cancelled, or revoked for a violation of a provision of  
4       law or rule of the Secretary of State, including, but not  
5       limited to, a violation of the intelligent speed  
6       assistance device, or (iii) if the person has previously  
7       been enrolled in the Intelligent Speed Assistance Program  
8       2 or more times, the expiration of 1,095 days following  
9       the issuance of a restricted driving permit requiring the  
10       use of an intelligent speed assistance device during which  
11       the person's restricted driving permit is not suspended,  
12       cancelled, or revoked for a violation of a provision of  
13       law or rule of the Secretary of State, including, but not  
14       limited to, a violation of the intelligent speed  
15       assistance device.

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

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

1 (c) (Blank).

2 (Source: P.A. 99-290, eff. 1-1-16; 99-296, eff. 1-1-16;  
3 99-642, eff. 7-28-16.)

4 Section 99. Effective date. This Act takes effect January  
5 1, 2028.".