

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 6-308 as follows:

6 (625 ILCS 5/6-308)

7 (Text of Section before amendment by P.A. 103-789)

8 Sec. 6-308. Procedures for traffic violations.

9 (a) Any person cited for violating this Code or a similar  
10 provision of a local ordinance for which a violation is a petty  
11 offense as defined by Section 5-1-17 of the Unified Code of  
12 Corrections, excluding business offenses as defined by Section  
13 5-1-2 of the Unified Code of Corrections or a violation of  
14 Section 15-111 or subsection (d) of Section 3-401 of this  
15 Code, shall not be required to sign the citation for his or her  
16 release. All other provisions of this Code or similar  
17 provisions of local ordinances shall be governed by the  
18 pretrial release provisions of the Illinois Supreme Court  
19 Rules when it is not practical or feasible to take the person  
20 before a judge to have conditions of pretrial release set or to  
21 avoid undue delay because of the hour or circumstances.

22 (b) Whenever a person fails to appear in court, the court  
23 may continue the case for a minimum of 30 days and the clerk of

1 the court shall send notice of the continued court date to the  
2 person's last known address. If the person does not appear in  
3 court on or before the continued court date or satisfy the  
4 court that the person's appearance in and surrender to the  
5 court is impossible for no fault of the person, the court shall  
6 enter an order of failure to appear. The clerk of the court  
7 shall notify the Secretary of State, on a report prescribed by  
8 the Secretary, of the court's order. The Secretary, when  
9 notified by the clerk of the court that an order of failure to  
10 appear has been entered, shall immediately suspend the  
11 person's driver's license, which shall be designated by the  
12 Secretary as a Failure to Appear suspension. The Secretary  
13 shall not remove the suspension, nor issue any permit or  
14 privileges to the person whose license has been suspended,  
15 until notified by the ordering court that the person has  
16 appeared and resolved the violation. Upon compliance, the  
17 clerk of the court shall present the person with a notice of  
18 compliance containing the seal of the court, and shall notify  
19 the Secretary that the person has appeared and resolved the  
20 violation.

21 (c) Illinois Supreme Court Rules shall govern pretrial  
22 release and appearance procedures when a person who is a  
23 resident of another state that is not a member of the  
24 Nonresident Violator Compact of 1977 is cited for violating  
25 this Code or a similar provision of a local ordinance.

26 (Source: P.A. 100-674, eff. 1-1-19; 101-652, eff. 1-1-23.)

1 (Text of Section after amendment by P.A. 103-789)

2 Sec. 6-308. Procedures for traffic violations.

3 (a) Any person cited for violating this Code or a similar  
4 provision of a local ordinance for which a violation is a petty  
5 offense as defined by Section 5-1-17 of the Unified Code of  
6 Corrections, excluding business offenses as defined by Section  
7 5-1-2 of the Unified Code of Corrections or a violation of  
8 Section 15-111 or subsection (d) of Section 3-401 of this  
9 Code, shall not be required to sign the citation for his or her  
10 release. All other provisions of this Code or similar  
11 provisions of local ordinances shall be governed by the  
12 pretrial release provisions of the Illinois Supreme Court  
13 Rules when it is not practical or feasible to take the person  
14 before a judge to have conditions of pretrial release set or to  
15 avoid undue delay because of the hour or circumstances.

16 (b) Whenever a person fails to appear in court, the court  
17 may continue the case for a minimum of 30 days and the clerk of  
18 the court shall send notice of the continued court date to the  
19 person's last known address and, if the clerk of the court  
20 elects to establish a system to send text, email, and  
21 telephone notifications, may also send notifications to an  
22 email address and may send a text message to the person's last  
23 known cellular telephone number. If the person does not have a  
24 cellular telephone number, the clerk of the court may reach  
25 the person by calling the person's last known landline

1 telephone number regarding continued court dates. The notice  
2 shall include a statement that a subsequent failure to appear  
3 in court could result in a warrant for the defendant's arrest  
4 and other significant consequences affecting their driving  
5 privileges. If the person does not (i) appear in court on or  
6 before the continued court date, (ii) satisfy the charge  
7 without a court appearance if allowed by Illinois Supreme  
8 Court Rule, or (iii) satisfy the court that the person's  
9 appearance in and surrender to the court is impossible for no  
10 fault of the person, the court shall: (1) for those offenses  
11 under this Code that are punishable by fine only, enter an ex  
12 parte judgment of conviction imposing a single assessment,  
13 specified in the applicable assessment Schedule 10 or 10.5  
14 ~~or 11~~ for the charged offense, as provided in the Criminal and  
15 Traffic Assessment Act, plus a fine allowed by statute and the  
16 clerk of the court shall notify the Secretary of State, in a  
17 manner and form prescribed by the Secretary, of the court's  
18 order, or (2) for those offenses under this Code that are  
19 punishable by a sentence of imprisonment, enter an order of  
20 failure to appear. The clerk of the court shall notify the  
21 Secretary of State, on a report prescribed by the Secretary,  
22 of the court's order. The Secretary, when notified by the  
23 clerk of the court that an order of failure to appear has been  
24 entered, shall immediately suspend the person's driver's  
25 license, which shall be designated by the Secretary as a  
26 failure to appear suspension. The Secretary shall not remove

1 the suspension, nor issue any permit or privileges to the  
2 person whose license has been suspended, until the Secretary  
3 is notified by the ordering court that the person has appeared  
4 and resolved the violation or failure to appear order. Upon  
5 compliance, the clerk of the court shall present the person  
6 with a notice of compliance containing the seal of the court  
7 and shall notify the Secretary that the person has appeared  
8 and resolved the violation or failure to appear order. ~~The~~  
9 ~~clerk of the court shall notify the Secretary of State, in a~~  
10 ~~form and manner prescribed by the Secretary, of the court's~~  
11 ~~order.~~

12 (c) Illinois Supreme Court Rules shall govern pretrial  
13 release and appearance procedures when a person who is a  
14 resident of another state that is not a member of the  
15 Nonresident Violator Compact of 1977 is cited for violating  
16 this Code or a similar provision of a local ordinance. The  
17 changes made to this Section by Public Act 103-0789 do not  
18 apply to suspensions entered pursuant to the Nonresident  
19 Violator Compact of 1977.

20 (d) The changes made to this Section by Public Act 103-789  
21 apply to each individual whose license was suspended pursuant  
22 to this Section from January 1, 2020 through June 30, 2025 for  
23 an offense under this Code that is punishable only by fine and  
24 did not involve the death of another person. No later than  
25 October 1, 2025, the clerk of the court shall notify the  
26 Secretary of State in a manner and form prescribed by the

1 Secretary, of each failure to appear notification previously  
2 sent to the Secretary by the clerk of the court resulting from  
3 an offense that is punishable only by fine and did not involve  
4 the death of another person for which a notice of compliance  
5 had not been sent to the Secretary. No later than January 1,  
6 2026, the Secretary shall rescind the suspension of each  
7 driver identified by the clerk of the court under this  
8 subsection (d) without further action by the person whose  
9 driver's license is suspended pursuant to this Section ~~, and~~  
10 ~~the suspension shall be lifted by the Secretary of State~~  
11 ~~without further action by any court.~~

12 (Source: P.A. 103-789, eff. 7-1-25 (see Section 55 of P.A.  
13 103-1059 for the effective date of P.A. 103-789); 103-1059,  
14 eff. 12-20-24.)

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

22 Section 99. Effective date. This Act takes effect July 1,  
23 2025.