

1 AN ACT concerning State government.

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

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

6 (15 ILCS 335/4)

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

8 Sec. 4. Identification card.

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

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

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

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

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

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

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

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

1 form to the Secretary of State, including a photograph
2 taken by the correctional facility, proof of residency
3 upon discharge, and a social security number, if the
4 committed person has a social security number. If the
5 committed person does not have a social security number
6 and is eligible for a social security number, the
7 Secretary of State shall not issue a standard Illinois
8 Identification Card until the committed person obtains a
9 social security number. If the committed person's
10 photograph and demographic information matches an existing
11 Illinois Identification Card or Illinois driver's license
12 and the Secretary of State verifies the applicant's social
13 security number with the Social Security Administration,
14 the Secretary of State shall issue the committed person a
15 standard Illinois Identification Card. If the photograph
16 or demographic information matches an existing Illinois
17 Identification Card or Illinois driver's license in
18 another person's name or identity, a standard Illinois
19 Identification Card shall not be issued until the
20 committed person submits a certified birth certificate and
21 social security card to the Secretary of State and the
22 Secretary of State verifies the identity of the committed
23 person. If the Secretary of State cannot find a match to an
24 existing Illinois Identification Card or Illinois driver's
25 license, the committed person may apply for a standard
26 Illinois Identification card as described in paragraph

1 (2) .

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

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

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

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

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

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

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

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

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

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

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

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

1 The Illinois Person with a Disability Identification Card
2 may be used as adequate documentation of disability in lieu of
3 a physician's determination of disability, a determination of
4 disability from a physician assistant, a determination of
5 disability from an advanced practice registered nurse, or any
6 other documentation of disability whenever any State law
7 requires that a person with a disability provide such
8 documentation of disability, however an Illinois Person with a
9 Disability Identification Card shall not qualify the
10 cardholder to participate in any program or to receive any
11 benefit which is not available to all persons with like
12 disabilities. Notwithstanding any other provisions of law, an
13 Illinois Person with a Disability Identification Card, or
14 evidence that the Secretary of State has issued an Illinois
15 Person with a Disability Identification Card, shall not be
16 used by any person other than the person named on such card to
17 prove that the person named on such card is a person with a
18 disability or for any other purpose unless the card is used for
19 the benefit of the person named on such card, and the person
20 named on such card consents to such use at the time the card is
21 so used.

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

26 When medical information is contained on an Illinois

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (g) The verification process shall be implemented to

1 require:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (n) As used in this Section:

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

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

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

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

26 "Department" means the Secretary of State Department of

1 Driver Services.

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

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

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

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

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

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

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

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

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

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

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

18 (Source: P.A. 103-210, eff. 7-1-24; 103-345, eff. 1-1-24;
19 103-605, eff. 7-1-24; 103-782, eff. 8-6-24; 103-824, eff.
20 1-1-25; 103-933, eff. 1-1-25; 104-417, eff. 8-15-25; 104-443,
21 eff. 1-1-26; revised 1-7-26.)

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

23 Sec. 4. Identification card.

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

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

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

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

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

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

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

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

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

1 the Secretary of State shall issue the committed person a
2 standard Illinois Identification Card. If the photograph
3 or demographic information matches an existing Illinois
4 Identification Card or Illinois driver's license in
5 another person's name or identity, a standard Illinois
6 Identification Card shall not be issued until the
7 committed person submits a certified birth certificate and
8 social security card to the Secretary of State and the
9 Secretary of State verifies the identity of the committed
10 person. If the Secretary of State cannot find a match to an
11 existing Illinois Identification Card or Illinois driver's
12 license, the committed person may apply for a standard
13 Illinois Identification card as described in paragraph
14 (2).

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

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

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

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

1 Identification Card.

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

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

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

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

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

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

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

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

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

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

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

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

17 The Secretary of State shall add a marker or box to the
18 Illinois Person with a Disability Identification Card that can
19 be used to record and demonstrate that the holder of the card
20 has presented documentation of certification of eligibility to
21 receive complementary paratransit services under 49 CFR Part
22 37, Subpart F by an entity that is required to provide those
23 services in the State.

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

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

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

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

1 unrelated to the purpose of the identification card.

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

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

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

1 Card or Illinois Person with a Disability Identification Card.

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

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

17 (3) Any mobile identification card issued by the Secretary
18 shall be in accordance with the AAMVA's Mobile Driver's
19 License (mDL) Implementation Guidelines Version 1.5 (May
20 2025), as may be amended or updated from time to time ~~most~~
21 ~~recent AAMVA standards.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~1 eard, the law enforcement officer shall promptly return the~~
~~2 mobile device to the person once the officer has had an~~
~~3 opportunity to verify the identity of the person. Except for~~
~~4 willful and wanton misconduct, any law enforcement officer,~~
~~5 court, or officer of the court presented with the device shall~~
~~6 be immune from any liability resulting from damage to the~~
~~7 mobile device.~~

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

11 (n) As used in this Section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (Source: P.A. 103-210, eff. 7-1-24; 103-345, eff. 1-1-24;
21 103-605, eff. 7-1-24; 103-782, eff. 8-6-24; 103-824, eff.
22 1-1-25; 103-933, eff. 1-1-25; 104-417, eff. 8-15-25; 104-443,
23 eff. 1-1-26; 104-457, eff. 6-1-26; revised 1-7-26.)

24 (15 ILCS 335/14D)

25 Sec. 14D. Limitations on use of identification card

1 information.

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

20 (b) As used in this Section: 7

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

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

1 device on or in the card.

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

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

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

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

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

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

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

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

15 (625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)

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

17 (a) No person, except those expressly exempted by Section
18 6-102, shall drive any motor vehicle upon a highway in this
19 State unless such person has a valid license or permit, an
20 Illinois mobile driver's license, or a restricted driving
21 permit, issued under the provisions of this Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (l) As used in this Section:

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

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

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

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

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

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

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

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

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

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

21 (625 ILCS 5/6-117.1)

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

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

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

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

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

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

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

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

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

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

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

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

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