



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4802

Introduced 2/18/2020, by Rep. Lindsay Parkhurst

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-206

625 ILCS 5/11-904

from Ch. 95 1/2, par. 11-904

Amends the Illinois Vehicle Code. Provides that if a person is convicted of a violation of a provision of the Code regarding obedience to stop and yield signs and (1) the person was at an intersection occurring on or outside of a corporate line and at which cross traffic does not stop, and (2) the violation resulted in a Type A injury to another, then the Secretary of State is authorized to suspend the person's driving privileges for 12 months. Provides that the amendatory Act may be referred to as Mason's Law.

LRB101 20562 HEP 70181 b

1 AN ACT concerning transportation.

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

4 Section 1. References to Act. This Act may be referred to
5 as Mason's Law.

6 Section 5. The Illinois Vehicle Code is amended by changing
7 Sections 6-206 and 11-904 as follows:

8 (625 ILCS 5/6-206)

9 (Text of Section before amendment by P.A. 101-90, 101-470,
10 and 101-623)

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

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

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

20 2. Has been convicted of not less than 3 offenses
21 against traffic regulations governing the movement of
22 vehicles committed within any 12-month ~~12-month~~ period. No

1 revocation or suspension shall be entered more than 6
2 months after the date of last conviction;

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

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

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

24 6. Has been lawfully convicted of an offense or
25 offenses in another state, including the authorization
26 contained in Section 6-203.1, which if committed within

1 this State would be grounds for suspension or revocation;

2 7. Has refused or failed to submit to an examination
3 provided for by Section 6-207 or has failed to pass the
4 examination;

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

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

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

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

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

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

4 14. Has committed a violation of Section 6-301,
5 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
6 14B of the Illinois Identification Card Act;

7 15. Has been convicted of violating Section 21-2 of the
8 Criminal Code of 1961 or the Criminal Code of 2012 relating
9 to criminal trespass to vehicles in which case, the
10 suspension shall be for one year;

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

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

17 18. Has, since issuance of a driver's license or
18 permit, been adjudged to be afflicted with or suffering
19 from any mental disability or disease;

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

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

25 21. Has been convicted of violating Section 11-402 of
26 this Code relating to leaving the scene of an accident

1 resulting in damage to a vehicle in excess of \$1,000, in
2 which case the suspension shall be for one year;

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

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

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

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

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

25 27. Has violated Section 6-16 of the Liquor Control Act
26 of 1934;

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

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

1 driving privileges shall be suspended for one year;

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

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

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

24 33. Has as a driver, who was less than 21 years of age
25 on the date of the offense, been convicted a first time of
26 a violation of paragraph (a) of Section 11-502 of this Code

1 or a similar provision of a local ordinance;

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

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

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

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

15 38. Has been convicted of a violation of Section 6-20
16 of the Liquor Control Act of 1934 or a similar provision of
17 a local ordinance;

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

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

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

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

4 43. Has received a disposition of court supervision for
5 a violation of subsection (a), (d), or (e) of Section 6-20
6 of the Liquor Control Act of 1934 or a similar provision of
7 a local ordinance, in which case the suspension shall be
8 for a period of 3 months;

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

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

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

24 47. Has committed a violation of Section 11-502.1 of
25 this Code; or

26 48. Has submitted a falsified or altered medical

1 examiner's certificate to the Secretary of State or
2 provided false information to obtain a medical examiner's
3 certificate.

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

11 (b) If any conviction forming the basis of a suspension or
12 revocation authorized under this Section is appealed, the
13 Secretary of State may rescind or withhold the entry of the
14 order of suspension or revocation, as the case may be, provided
15 that a certified copy of a stay order of a court is filed with
16 the Secretary of State. If the conviction is affirmed on
17 appeal, the date of the conviction shall relate back to the
18 time the original judgment of conviction was entered and the
19 6-month ~~6-month~~ limitation prescribed shall not apply.

20 (c) 1. Upon suspending or revoking the driver's license or
21 permit of any person as authorized in this Section, the
22 Secretary of State shall immediately notify the person in
23 writing of the revocation or suspension. The notice to be
24 deposited in the United States mail, postage prepaid, to the
25 last known address of the person.

26 2. If the Secretary of State suspends the driver's license

1 of a person under subsection 2 of paragraph (a) of this
2 Section, a person's privilege to operate a vehicle as an
3 occupation shall not be suspended, provided an affidavit is
4 properly completed, the appropriate fee received, and a permit
5 issued prior to the effective date of the suspension, unless 5
6 offenses were committed, at least 2 of which occurred while
7 operating a commercial vehicle in connection with the driver's
8 regular occupation. All other driving privileges shall be
9 suspended by the Secretary of State. Any driver prior to
10 operating a vehicle for occupational purposes only must submit
11 the affidavit on forms to be provided by the Secretary of State
12 setting forth the facts of the person's occupation. The
13 affidavit shall also state the number of offenses committed
14 while operating a vehicle in connection with the driver's
15 regular occupation. The affidavit shall be accompanied by the
16 driver's license. Upon receipt of a properly completed
17 affidavit, the Secretary of State shall issue the driver a
18 permit to operate a vehicle in connection with the driver's
19 regular occupation only. Unless the permit is issued by the
20 Secretary of State prior to the date of suspension, the
21 privilege to drive any motor vehicle shall be suspended as set
22 forth in the notice that was mailed under this Section. If an
23 affidavit is received subsequent to the effective date of this
24 suspension, a permit may be issued for the remainder of the
25 suspension period.

26 The provisions of this subparagraph shall not apply to any

1 driver required to possess a CDL for the purpose of operating a
2 commercial motor vehicle.

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

7 3. At the conclusion of a hearing under Section 2-118 of
8 this Code, the Secretary of State shall either rescind or
9 continue an order of revocation or shall substitute an order of
10 suspension; or, good cause appearing therefor, rescind,
11 continue, change, or extend the order of suspension. If the
12 Secretary of State does not rescind the order, the Secretary
13 may upon application, to relieve undue hardship (as defined by
14 the rules of the Secretary of State), issue a restricted
15 driving permit granting the privilege of driving a motor
16 vehicle between the petitioner's residence and petitioner's
17 place of employment or within the scope of the petitioner's
18 employment-related ~~employment-related~~ duties, or to allow the
19 petitioner to transport himself or herself, or a family member
20 of the petitioner's household to a medical facility, to receive
21 necessary medical care, to allow the petitioner to transport
22 himself or herself to and from alcohol or drug remedial or
23 rehabilitative activity recommended by a licensed service
24 provider, or to allow the petitioner to transport himself or
25 herself or a family member of the petitioner's household to
26 classes, as a student, at an accredited educational

1 institution, or to allow the petitioner to transport children,
2 elderly persons, or persons with disabilities who do not hold
3 driving privileges and are living in the petitioner's household
4 to and from daycare. The petitioner must demonstrate that no
5 alternative means of transportation is reasonably available
6 and that the petitioner will not endanger the public safety or
7 welfare.

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

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

22 (i) a single conviction of violating Section
23 11-501 of this Code or a similar provision of a local
24 ordinance or a similar out-of-state offense or Section
25 9-3 of the Criminal Code of 1961 or the Criminal Code
26 of 2012, where the use of alcohol or other drugs is

1 recited as an element of the offense, or a similar
2 out-of-state offense; or

3 (ii) a statutory summary suspension or revocation
4 under Section 11-501.1; or

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

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

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

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

24 (D) If the restricted driving permit is issued for
25 employment purposes, then the prohibition against
26 operating a motor vehicle that is not equipped with an

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

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

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

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

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

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

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

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

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

26 A restricted driving permit issued under this

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

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

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

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

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

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

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

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

17 (Source: P.A. 99-143, eff. 7-27-15; 99-290, eff. 1-1-16;
18 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-607, eff. 7-22-16;
19 99-642, eff. 7-28-16; 100-803, eff. 1-1-19.)

20 (Text of Section after amendment by P.A. 101-90, 101-470,
21 and 101-623)

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

24 (a) The Secretary of State is authorized to suspend or
25 revoke the driving privileges of any person without preliminary

1 hearing upon a showing of the person's records or other
2 sufficient evidence that the person:

3 1. Has committed an offense for which mandatory
4 revocation of a driver's license or permit is required upon
5 conviction;

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

11 3. Has been repeatedly involved as a driver in motor
12 vehicle collisions or has been repeatedly convicted of
13 offenses against laws and ordinances regulating the
14 movement of traffic, to a degree that indicates lack of
15 ability to exercise ordinary and reasonable care in the
16 safe operation of a motor vehicle or disrespect for the
17 traffic laws and the safety of other persons upon the
18 highway;

19 4. Has by the unlawful operation of a motor vehicle
20 caused or contributed to an accident resulting in injury
21 requiring immediate professional treatment in a medical
22 facility or doctor's office to any person, except that any
23 suspension or revocation imposed by the Secretary of State
24 under the provisions of this subsection shall start no
25 later than 6 months after being convicted of violating a
26 law or ordinance regulating the movement of traffic, which

1 violation is related to the accident, or shall start not
2 more than one year after the date of the accident,
3 whichever date occurs later;

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

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

10 7. Has refused or failed to submit to an examination
11 provided for by Section 6-207 or has failed to pass the
12 examination;

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

15 9. Has made a false statement or knowingly concealed a
16 material fact or has used false information or
17 identification in any application for a license,
18 identification card, or permit;

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

22 11. Has operated a motor vehicle upon a highway of this
23 State when the person's driving privilege or privilege to
24 obtain a driver's license or permit was revoked or
25 suspended unless the operation was authorized by a
26 monitoring device driving permit, judicial driving permit

1 issued prior to January 1, 2009, probationary license to
2 drive, or a restricted driving permit issued under this
3 Code;

4 12. Has submitted to any portion of the application
5 process for another person or has obtained the services of
6 another person to submit to any portion of the application
7 process for the purpose of obtaining a license,
8 identification card, or permit for some other person;

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

12 14. Has committed a violation of Section 6-301,
13 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
14 14B of the Illinois Identification Card Act;

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

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

23 17. Has refused to submit to a test, or tests, as
24 required under Section 11-501.1 of this Code and the person
25 has not sought a hearing as provided for in Section
26 11-501.1;

1 18. (Blank);

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

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

7 21. Has been convicted of violating Section 11-402 of
8 this Code relating to leaving the scene of an accident
9 resulting in damage to a vehicle in excess of \$1,000, in
10 which case the suspension shall be for one year;

11 22. Has used a motor vehicle in violating paragraph
12 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
13 the Criminal Code of 1961 or the Criminal Code of 2012
14 relating to unlawful use of weapons, in which case the
15 suspension shall be for one year;

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

20 24. Has been convicted by a court-martial or punished
21 by non-judicial punishment by military authorities of the
22 United States at a military installation in Illinois or in
23 another state of or for a traffic-related ~~traffic-related~~
24 offense that is the same as or similar to an offense
25 specified under Section 6-205 or 6-206 of this Code;

26 25. Has permitted any form of identification to be used

1 by another in the application process in order to obtain or
2 attempt to obtain a license, identification card, or
3 permit;

4 26. Has altered or attempted to alter a license or has
5 possessed an altered license, identification card, or
6 permit;

7 27. (Blank);

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

22 29. Has been convicted of the following offenses that
23 were committed while the person was operating or in actual
24 physical control, as a driver, of a motor vehicle: criminal
25 sexual assault, predatory criminal sexual assault of a
26 child, aggravated criminal sexual assault, criminal sexual

1 abuse, aggravated criminal sexual abuse, juvenile pimping,
2 soliciting for a juvenile prostitute, promoting juvenile
3 prostitution as described in subdivision (a)(1), (a)(2),
4 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961
5 or the Criminal Code of 2012, and the manufacture, sale or
6 delivery of controlled substances or instruments used for
7 illegal drug use or abuse in which case the driver's
8 driving privileges shall be suspended for one year;

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

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

25 32. Has been convicted of Section 24-1.2 of the
26 Criminal Code of 1961 or the Criminal Code of 2012 relating

1 to the aggravated discharge of a firearm if the offender
2 was located in a motor vehicle at the time the firearm was
3 discharged, in which case the suspension shall be for 3
4 years;

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

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

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

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

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

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

26 39. Has committed a second or subsequent violation of

1 Section 11-1201 of this Code;

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

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

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

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

18 44. Is under the age of 21 years at the time of arrest
19 and has been convicted of an offense against traffic
20 regulations governing the movement of vehicles after
21 having previously had his or her driving privileges
22 suspended or revoked pursuant to subparagraph 36 of this
23 Section;

24 45. Has, in connection with or during the course of a
25 formal hearing conducted under Section 2-118 of this Code:
26 (i) committed perjury; (ii) submitted fraudulent or

1 falsified documents; (iii) submitted documents that have
2 been materially altered; or (iv) submitted, as his or her
3 own, documents that were in fact prepared or composed for
4 another person;

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

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

9 48. Has submitted a falsified or altered medical
10 examiner's certificate to the Secretary of State or
11 provided false information to obtain a medical examiner's
12 certificate; ~~or~~

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

17 50. ~~49.~~ Has been convicted of a violation of Section
18 11-1002 or 11-1002.5 that resulted in a Type A injury to
19 another, in which case the person's driving privileges
20 shall be suspended for 12 months; or ~~-~~

21 51. Has been convicted of a violation of Section 11-904
22 at an intersection occurring on or outside of a corporate
23 line and at which cross traffic does not stop, and the
24 violation resulted in a Type A injury to another, in which
25 case the person's driving privileges shall be suspended for
26 12 months.

1 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
2 and 27 of this subsection, license means any driver's license,
3 any traffic ticket issued when the person's driver's license is
4 deposited in lieu of bail, a suspension notice issued by the
5 Secretary of State, a duplicate or corrected driver's license,
6 a probationary driver's license, or a temporary driver's
7 license.

8 (b) If any conviction forming the basis of a suspension or
9 revocation authorized under this Section is appealed, the
10 Secretary of State may rescind or withhold the entry of the
11 order of suspension or revocation, as the case may be, provided
12 that a certified copy of a stay order of a court is filed with
13 the Secretary of State. If the conviction is affirmed on
14 appeal, the date of the conviction shall relate back to the
15 time the original judgment of conviction was entered and the
16 6-month ~~6-month~~ limitation prescribed shall not apply.

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

23 2. If the Secretary of State suspends the driver's license
24 of a person under subsection 2 of paragraph (a) of this
25 Section, a person's privilege to operate a vehicle as an
26 occupation shall not be suspended, provided an affidavit is

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

23 The provisions of this subparagraph shall not apply to any
24 driver required to possess a CDL for the purpose of operating a
25 commercial motor vehicle.

26 Any person who falsely states any fact in the affidavit

1 required herein shall be guilty of perjury under Section 6-302
2 and upon conviction thereof shall have all driving privileges
3 revoked without further rights.

4 3. At the conclusion of a hearing under Section 2-118 of
5 this Code, the Secretary of State shall either rescind or
6 continue an order of revocation or shall substitute an order of
7 suspension; or, good cause appearing therefor, rescind,
8 continue, change, or extend the order of suspension. If the
9 Secretary of State does not rescind the order, the Secretary
10 may upon application, to relieve undue hardship (as defined by
11 the rules of the Secretary of State), issue a restricted
12 driving permit granting the privilege of driving a motor
13 vehicle between the petitioner's residence and petitioner's
14 place of employment or within the scope of the petitioner's
15 employment-related ~~employment-related~~ duties, or to allow the
16 petitioner to transport himself or herself, or a family member
17 of the petitioner's household to a medical facility, to receive
18 necessary medical care, to allow the petitioner to transport
19 himself or herself to and from alcohol or drug remedial or
20 rehabilitative activity recommended by a licensed service
21 provider, or to allow the petitioner to transport himself or
22 herself or a family member of the petitioner's household to
23 classes, as a student, at an accredited educational
24 institution, or to allow the petitioner to transport children,
25 elderly persons, or persons with disabilities who do not hold
26 driving privileges and are living in the petitioner's household

1 to and from daycare. The petitioner must demonstrate that no
2 alternative means of transportation is reasonably available
3 and that the petitioner will not endanger the public safety or
4 welfare.

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

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

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

26 (ii) a statutory summary suspension or revocation

1 under Section 11-501.1; or

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

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

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

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

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

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

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

1 authorized to cancel a restricted driving permit if the
2 permit holder does not successfully complete the program.

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

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

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

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

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

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

1 violation of Section 11-501 of this Code, a similar
2 provision of a local ordinance, or a similar offense in
3 another state.

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

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

22 (c-5) The Secretary of State may, as a condition of the
23 reissuance of a driver's license or permit to an applicant
24 whose driver's license or permit has been suspended before he
25 or she reached the age of 21 years pursuant to any of the
26 provisions of this Section, require the applicant to

1 participate in a driver remedial education course and be
2 retested under Section 6-109 of this Code.

3 (d) This Section is subject to the provisions of the Driver
4 ~~Drivers~~ License Compact.

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

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

14 (Source: P.A. 100-803, eff. 1-1-19; 101-90, eff. 7-1-20;
15 101-470, eff. 7-1-20; 101-623, eff. 7-1-20; revised 1-21-20.)

16 (625 ILCS 5/11-904) (from Ch. 95 1/2, par. 11-904)

17 Sec. 11-904. Vehicle entering stop or yield intersection.

18 (a) Preferential right-of-way at an intersection may be
19 indicated by stop or yield signs as authorized in Section
20 11-302 of this Chapter.

21 (b) Except when directed to proceed by a police officer or
22 traffic-control signal, every driver of a vehicle approaching a
23 stop intersection indicated by a stop sign shall stop at a
24 clearly marked stop line, but if none, before entering the
25 crosswalk on the near side of the intersection, or if none,

1 then at the point nearest the intersecting roadway where the
2 driver has a view of approaching traffic on the intersecting
3 roadway before entering the intersection. After having
4 stopped, the driver shall yield the right-of-way to any vehicle
5 which has entered the intersection from another roadway or
6 which is approaching so closely on the roadway as to constitute
7 an immediate hazard during the time when the driver is moving
8 across or within the intersection, but said driver having so
9 yielded may proceed at such time as a safe interval occurs.

10 (c) The driver of a vehicle approaching a yield sign shall
11 in obedience to such sign slow down to a speed reasonable for
12 the existing conditions and, if required for safety to stop,
13 shall stop at a clearly marked stop line, but if none, before
14 entering the crosswalk on the near side of the intersection, or
15 if none, then at the point nearest the intersecting roadway
16 where the driver has a view of approaching traffic on the
17 intersecting roadway. After slowing or stopping, the driver
18 shall yield the right-of-way to any vehicle in the intersection
19 or approaching on another roadway so closely as to constitute
20 an immediate hazard during the time such driver is moving
21 across or within the intersection.

22 (d) If a driver is involved in a collision at an
23 intersection or interferes with the movement of other vehicles
24 after driving past a yield right-of-way sign, such collision or
25 interference shall be deemed prima facie evidence of the
26 driver's failure to yield right-of-way.

1 (e) A person who has been convicted of a violation of this
2 Section shall have his or her driving privileges suspended for
3 12 months if the violation: (1) took place at an intersection
4 occurring on or outside of a corporate line and at which cross
5 traffic does not stop, and (2) resulted in a Type A injury to
6 another.

7 (Source: P.A. 76-1739.)

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