

SB1431



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1431

Introduced 2/13/2019, by Sen. Dan McConchie

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-115
625 ILCS 5/6-118

from Ch. 95 1/2, par. 6-115

Amends the Illinois Vehicle Code. Extends the term for a driver's license to 6 years (from 4 years). Makes a corresponding change. Increases the fee for an original or renewal driver's license from \$30 to \$45. Effective January 1, 2022.

LRB101 08611 TAE 53690 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 6-115 and 6-118 as follows:

6 (625 ILCS 5/6-115) (from Ch. 95 1/2, par. 6-115)

7 Sec. 6-115. Expiration of driver's license.

8 (a) Except as provided elsewhere in this Section, every
9 driver's license issued under the provisions of this Code shall
10 expire 6 4 years from the date of its issuance, or at such
11 later date, as the Secretary of State may by proper rule and
12 regulation designate, not to exceed 12 calendar months; in the
13 event that an applicant for renewal of a driver's license fails
14 to apply prior to the expiration date of the previous driver's
15 license, the renewal driver's license shall expire 6 4 years
16 from the expiration date of the previous driver's license, or
17 at such later date as the Secretary of State may by proper rule
18 and regulation designate, not to exceed 12 calendar months.

19 The Secretary of State may, however, issue to a person not
20 previously licensed as a driver in Illinois a driver's license
21 which will expire not less than 6 4 years nor more than 7 5
22 years from date of issuance, except as provided elsewhere in
23 this Section.

1 (a-5) Every driver's license issued under this Code to an
2 applicant who is not a United States citizen or permanent
3 resident shall be marked "Limited Term" and shall expire on
4 whichever is the earlier date of the following:

5 (1) as provided under subsection (a), (f), (g), or (i)
6 of this Section;

7 (2) on the date the applicant's authorized stay in the
8 United States terminates; or

9 (3) if the applicant's authorized stay is indefinite
10 and the applicant is applying for a Limited Term REAL ID
11 compliant driver's license, one year from the date of
12 issuance of the license.

13 (b) Before the expiration of a driver's license, except
14 those licenses expiring on the individual's 21st birthday, or 3
15 months after the individual's 21st birthday, the holder thereof
16 may apply for a renewal thereof, subject to all the provisions
17 of Section 6-103, and the Secretary of State may require an
18 examination of the applicant. A licensee whose driver's license
19 expires on his 21st birthday, or 3 months after his 21st
20 birthday, may not apply for a renewal of his driving privileges
21 until he reaches the age of 21.

22 (c) The Secretary of State shall, 30 days prior to the
23 expiration of a driver's license, forward to each person whose
24 license is to expire a notification of the expiration of said
25 license which may be presented at the time of renewal of said
26 license.

1 There may be included with such notification information
2 explaining the anatomical gift and Emergency Medical
3 Information Card provisions of Section 6-110. The format and
4 text of such information shall be prescribed by the Secretary.

5 There shall be included with such notification, for a
6 period of 4 years beginning January 1, 2000 information
7 regarding the Illinois Adoption Registry and Medical
8 Information Exchange established in Section 18.1 of the
9 Adoption Act.

10 (d) The Secretary may defer the expiration of the driver's
11 license of a licensee, spouse, and dependent children who are
12 living with such licensee while on active duty, serving in the
13 Armed Forces of the United States outside of the State of
14 Illinois, and 120 days thereafter, upon such terms and
15 conditions as the Secretary may prescribe.

16 (d-5) The Secretary may defer the expiration of the
17 driver's license of a licensee, or of a spouse or dependent
18 children living with the licensee, serving as a civilian
19 employee of the United States Armed Forces or the United States
20 Department of Defense, outside of the State of Illinois, and
21 120 days thereafter, upon such terms and conditions as the
22 Secretary may prescribe.

23 (e) The Secretary of State may decline to process a renewal
24 of a driver's license of any person who has not paid any fee or
25 tax due under this Code and is not paid upon reasonable notice
26 and demand.

1 (f) The Secretary shall provide that each original or
2 renewal driver's license issued to a licensee under 21 years of
3 age shall expire 3 months after the licensee's 21st birthday.
4 Persons whose current driver's licenses expire on their 21st
5 birthday on or after January 1, 1986 shall not renew their
6 driver's license before their 21st birthday, and their current
7 driver's license will be extended for an additional term of 3
8 months beyond their 21st birthday. Thereafter, the expiration
9 and term of the driver's license shall be governed by
10 subsection (a) hereof.

11 (g) The Secretary shall provide that each original or
12 renewal driver's license issued to a licensee 81 years of age
13 through age 86 shall expire 2 years from the date of issuance,
14 or at such later date as the Secretary may by rule and
15 regulation designate, not to exceed an additional 12 calendar
16 months. The Secretary shall also provide that each original or
17 renewal driver's license issued to a licensee 87 years of age
18 or older shall expire 12 months from the date of issuance, or
19 at such later date as the Secretary may by rule and regulation
20 designate, not to exceed an additional 12 calendar months.

21 (h) The Secretary of State shall provide that each special
22 restricted driver's license issued under subsection (g) of
23 Section 6-113 of this Code shall expire 12 months from the date
24 of issuance. The Secretary shall adopt rules defining renewal
25 requirements.

26 (i) The Secretary of State shall provide that each driver's

1 license issued to a person convicted of a sex offense as
 2 defined in Section 2 of the Sex Offender Registration Act shall
 3 expire 12 months from the date of issuance or at such date as
 4 the Secretary may by rule designate, not to exceed an
 5 additional 12 calendar months. The Secretary may adopt rules
 6 defining renewal requirements.

7 (Source: P.A. 99-118, eff. 1-1-16; 99-305, eff. 1-1-16; 99-642,
 8 eff. 7-28-16; 100-248, eff. 8-22-17; 100-863, eff. 8-14-18.)

9 (625 ILCS 5/6-118)

10 Sec. 6-118. Fees.

11 (a) The fees ~~fee~~ for licenses and permits under this
 12 Article are ~~is~~ as follows:

13	Original driver's license	<u>\$45</u> \$30
14	Original or renewal driver's license	
15	issued to 18, 19 and 20 year olds	5
16	All driver's licenses for persons	
17	age 69 through age 80	5
18	All driver's licenses for persons	
19	age 81 through age 86	2
20	All driver's licenses for persons	
21	age 87 or older	0
22	Renewal driver's license (except for	
23	applicants ages 18, 19 and 20 or	
24	age 69 and older)	<u>45</u> 30
25	Original instruction permit issued to	

1 persons (except those age 69 and older)

2 who do not hold or have not previously

3 held an Illinois instruction permit or

4 driver's license 20

5 Instruction permit issued to any person

6 holding an Illinois driver's license

7 who wishes a change in classifications,

8 other than at the time of renewal 5

9 Any instruction permit issued to a person

10 age 69 and older 5

11 Instruction permit issued to any person,

12 under age 69, not currently holding a

13 valid Illinois driver's license or

14 instruction permit but who has

15 previously been issued either document

16 in Illinois 10

17 Restricted driving permit 8

18 Monitoring device driving permit 8

19 Duplicate or corrected driver's license

20 or permit 5

21 Duplicate or corrected restricted

22 driving permit 5

23 Duplicate or corrected monitoring

24 device driving permit 5

25 Duplicate driver's license or permit issued to

26 an active-duty member of the

1 United States Armed Forces,
 2 the member's spouse, or
 3 the dependent children living
 4 with the member 0
 5 Original or renewal M or L endorsement..... 5

6 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

7 The fees for commercial driver licenses and permits
 8 under Article V shall be as follows:

9 Commercial driver's license:

10 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund
 11 (Commercial Driver's License Information
 12 System/American Association of Motor Vehicle
 13 Administrators network/National Motor Vehicle
 14 Title Information Service Trust Fund);
 15 \$20 for the Motor Carrier Safety Inspection Fund;
 16 \$10 for the driver's license;
 17 and \$24 for the CDL: \$60

18 Renewal commercial driver's license:

19 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
 20 \$20 for the Motor Carrier Safety Inspection Fund;
 21 \$10 for the driver's license; and
 22 \$24 for the CDL: \$60

23 Commercial learner's permit

24 issued to any person holding a valid
 25 Illinois driver's license for the
 26 purpose of changing to a

1 CDL classification: \$6 for the
 2 CDLIS/AAMVAnet/NMVTIS Trust Fund;
 3 \$20 for the Motor Carrier
 4 Safety Inspection Fund; and
 5 \$24 for the CDL classification \$50
 6 Commercial learner's permit
 7 issued to any person holding a valid
 8 Illinois CDL for the purpose of
 9 making a change in a classification,
 10 endorsement or restriction \$5
 11 CDL duplicate or corrected license \$5

12 In order to ensure the proper implementation of the Uniform
 13 Commercial Driver License Act, Article V of this Chapter, the
 14 Secretary of State is empowered to prorate ~~pro-rate~~ the \$24 fee
 15 for the commercial driver's license proportionate to the
 16 expiration date of the applicant's Illinois driver's license.

17 The fee for any duplicate license or permit shall be waived
 18 for any person who presents the Secretary of State's office
 19 with a police report showing that his license or permit was
 20 stolen.

21 The fee for any duplicate license or permit shall be waived
 22 for any person age 60 or older whose driver's license or permit
 23 has been lost or stolen.

24 No additional fee shall be charged for a driver's license,
 25 or for a commercial driver's license, when issued to the holder
 26 of an instruction permit for the same classification or type of

1 license who becomes eligible for such license.

2 The fee for a restricted driving permit under this
3 subsection (a) shall be imposed annually until the expiration
4 of the permit.

5 (a-5) The fee for a driver's record or data contained
6 therein is \$12.

7 (b) Any person whose license or privilege to operate a
8 motor vehicle in this State has been suspended or revoked under
9 Section 3-707, any provision of Chapter 6, Chapter 11, or
10 Section 7-205, 7-303, or 7-702 of the Family Financial
11 Responsibility Law of this Code, shall in addition to any other
12 fees required by this Code, pay a reinstatement fee as follows:

13	Suspension under Section 3-707	\$100
14	Suspension under Section 11-1431	\$100
15	Summary suspension under Section 11-501.1	\$250
16	Suspension under Section 11-501.9	\$250
17	Summary revocation under Section 11-501.1	\$500
18	Other suspension	\$70
19	Revocation	\$500

20 However, any person whose license or privilege to operate a
21 motor vehicle in this State has been suspended or revoked for a
22 second or subsequent time for a violation of Section 11-501,
23 11-501.1, or 11-501.9 of this Code or a similar provision of a
24 local ordinance or a similar out-of-state offense or Section
25 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012
26 and each suspension or revocation was for a violation of

1 Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar
 2 provision of a local ordinance or a similar out-of-state
 3 offense or Section 9-3 of the Criminal Code of 1961 or the
 4 Criminal Code of 2012 shall pay, in addition to any other fees
 5 required by this Code, a reinstatement fee as follows:

6	Summary suspension under Section 11-501.1	\$500
7	Suspension under Section 11-501.9	\$500
8	Summary revocation under Section 11-501.1	\$500
9	Revocation	\$500

10 (c) All fees collected under the provisions of this Chapter
 11 shall be disbursed under subsection (g) of Section 2-119 of
 12 this Code, except as follows:

13 1. The following amounts shall be paid into the Drivers
 14 Education Fund:

15 (A) \$16 of the \$20 fee for an original driver's
 16 instruction permit;

17 (B) \$5 of the \$30 fee for an original driver's
 18 license;

19 (C) \$5 of the \$30 fee for a ~~4-year~~ renewal driver's
 20 license;

21 (D) \$4 of the \$8 fee for a restricted driving
 22 permit; and

23 (E) \$4 of the \$8 fee for a monitoring device
 24 driving permit.

25 2. \$30 of the \$250 fee for reinstatement of a license
 26 summarily suspended under Section 11-501.1 or suspended

1 under Section 11-501.9 shall be deposited into the Drunk
2 and Drugged Driving Prevention Fund. However, for a person
3 whose license or privilege to operate a motor vehicle in
4 this State has been suspended or revoked for a second or
5 subsequent time for a violation of Section 11-501,
6 11-501.1, or 11-501.9 of this Code or Section 9-3 of the
7 Criminal Code of 1961 or the Criminal Code of 2012, \$190 of
8 the \$500 fee for reinstatement of a license summarily
9 suspended under Section 11-501.1 or suspended under
10 Section 11-501.9, and \$190 of the \$500 fee for
11 reinstatement of a revoked license shall be deposited into
12 the Drunk and Drugged Driving Prevention Fund. \$190 of the
13 \$500 fee for reinstatement of a license summarily revoked
14 pursuant to Section 11-501.1 shall be deposited into the
15 Drunk and Drugged Driving Prevention Fund.

16 3. \$6 of the original or renewal fee for a commercial
17 driver's license and \$6 of the commercial learner's permit
18 fee when the permit is issued to any person holding a valid
19 Illinois driver's license, shall be paid into the
20 CDLIS/AAMVAnet/NMVTIS Trust Fund.

21 4. \$30 of the \$70 fee for reinstatement of a license
22 suspended under the Family Financial Responsibility Law
23 shall be paid into the Family Responsibility Fund.

24 5. The \$5 fee for each original or renewal M or L
25 endorsement shall be deposited into the Cycle Rider Safety
26 Training Fund.

1 6. \$20 of any original or renewal fee for a commercial
2 driver's license or commercial learner's permit shall be
3 paid into the Motor Carrier Safety Inspection Fund.

4 7. The following amounts shall be paid into the General
5 Revenue Fund:

6 (A) \$190 of the \$250 reinstatement fee for a
7 summary suspension under Section 11-501.1 or a
8 suspension under Section 11-501.9;

9 (B) \$40 of the \$70 reinstatement fee for any other
10 suspension provided in subsection (b) of this Section;
11 and

12 (C) \$440 of the \$500 reinstatement fee for a first
13 offense revocation and \$310 of the \$500 reinstatement
14 fee for a second or subsequent revocation.

15 8. Fees collected under paragraph (4) of subsection (d)
16 and subsection (h) of Section 6-205 of this Code;
17 subparagraph (C) of paragraph 3 of subsection (c) of
18 Section 6-206 of this Code; and paragraph (4) of subsection
19 (a) of Section 6-206.1 of this Code, shall be paid into the
20 funds set forth in those Sections.

21 (d) All of the proceeds of the additional fees imposed by
22 this amendatory Act of the 96th General Assembly shall be
23 deposited into the Capital Projects Fund.

24 (e) The additional fees imposed by this amendatory Act of
25 the 96th General Assembly shall become effective 90 days after
26 becoming law.

1 (f) As used in this Section, "active-duty member of the
2 United States Armed Forces" means a member of the Armed
3 Services or Reserve Forces of the United States or a member of
4 the Illinois National Guard who is called to active duty
5 pursuant to an executive order of the President of the United
6 States, an act of the Congress of the United States, or an
7 order of the Governor.

8 (Source: P.A. 99-127, eff. 1-1-16; 99-438, eff. 1-1-16; 99-642,
9 eff. 7-28-16; 99-933, eff. 1-27-17; 100-590, eff. 6-8-18;
10 100-803, eff. 1-1-19; revised 10-24-18.)

11 Section 99. Effective date. This Act takes effect January
12 1, 2022.