



Sen. Ram Villivalam

Filed: 12/1/2022

10200HB5049sam003

LRB102 22605 KTG 42023 a

1 AMENDMENT TO HOUSE BILL 5049

2 AMENDMENT NO. _____. Amend House Bill 5049 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Administrative Procedure Act is
5 amended by changing Section 5-45.20 as follows:

6 (5 ILCS 100/5-45.20)

7 (Section scheduled to be repealed on January 1, 2023)

8 Sec. 5-45.20. Emergency rulemaking; Secretary of State
9 emergency powers. To provide for the expeditious and timely
10 implementation of the provisions of Section 30 of the
11 Secretary of State Act, emergency rules implementing the
12 changes made to Section 30 of the Secretary of State Act by
13 this amendatory Act of the 102nd General Assembly may be
14 adopted by the Secretary in accordance with Section 5-45. The
15 adoption of emergency rules authorized by Section 5-45 and
16 this Section is deemed to be necessary for the public

1 interest, safety, and welfare.

2 This Section is repealed on October ~~January~~ 1, 2023.

3 (Source: P.A. 102-678, eff. 12-10-21.)

4 Section 10. The Secretary of State Act is amended by
5 changing Section 30 and by adding Section 37 as follows:

6 (15 ILCS 305/30)

7 (Section scheduled to be repealed on January 1, 2023)

8 Sec. 30. Emergency powers.

9 (a) In response to the interruption of services available
10 to the public as a result of the public health disaster caused
11 by Coronavirus Disease 2019 (COVID-19), a novel severe acute
12 respiratory illness that spreads rapidly through respiratory
13 transmissions, the extended closure of State government
14 offices and private sector businesses caused by COVID-19, and
15 the need to ameliorate any detrimental impact on members of
16 the public caused by that interruption of services, the
17 Secretary of State is hereby given the authority to adopt
18 emergency rulemakings, and to adopt permanent administrative
19 rules:

20 (1) extending until not later than December 31, 2022,
21 the expiration dates of driver's licenses, driving
22 permits, monitoring device driving permits, restricted
23 driving permits, and identification cards which were
24 issued with expiration dates on or after January 1, 2020.

1 During the period of any extensions implemented pursuant
2 to this subsection, all driver's licenses, driving
3 permits, monitoring device driving permits, restricted
4 driving permits, and identification cards, shall be
5 subject to any terms and conditions under which the
6 original document was issued; and

7 (2) modifying the requirements for the renewal of
8 driver's licenses, driving permits, monitoring device
9 driving permits, restricted driving permits, and
10 identification cards. No such modification shall apply for
11 more than one renewal cycle after the effective date of
12 the rulemaking.

13 (b) When the renewal of any driver's license, driving
14 permit, monitoring device driving permit, restricted driving
15 permit, or identification card has been extended pursuant to
16 this Section, it shall be renewed during the period of an
17 extension. Any such renewals shall be from the original
18 expiration date and shall be subject to the full fee which
19 would have been due had the renewals been issued based on the
20 original expiration date, except that no late filing fees or
21 penalties shall be imposed.

22 (c) All law enforcement agencies in the State of Illinois
23 and all State and local governmental entities shall recognize
24 the validity of, and give full legal force to, extensions
25 granted pursuant to this Section.

26 (d) Upon the request of any person whose driver's license,

1 driving permit, monitoring device driving permit, restricted
2 driving permit, or identification card has been subject to an
3 extension under this Section, the Secretary shall issue a
4 statement verifying the extension was issued pursuant to
5 Illinois law, and requesting any foreign jurisdiction to honor
6 the extension.

7 (e) This Section is repealed on ~~October~~ January 1, 2023.

8 (Source: P.A. 101-640, eff. 6-12-20; 102-39, eff. 6-25-21;
9 102-678, eff. 12-10-21.)

10 (15 ILCS 305/37 new)

11 Sec. 37. Study on age-related changes that affect driving
12 abilities. By October 1, 2023 the Secretary of State shall
13 conduct a study on age-related changes in vision, physical
14 functioning, and the ability to reason and remember, as well
15 as any other diseases and medications that might affect safe
16 driving abilities. When conducting the study, the Secretary of
17 State may utilize data or academic studies conducted by other
18 sources, including, but not limited to, other states, the
19 Centers for Disease Control and Prevention, the American
20 Geriatrics Society, and the National Highway Traffic Safety
21 Administration. Upon completion of the study, if the study
22 shows that there is no immediate risk to public safety, the
23 Secretary of State may adopt administrative rules to raise or
24 lower the age requirement for actual demonstrations, provided
25 that the required age shall be no lower than the minimum age

1 required under subsection (c) of Section 6-109 of the Illinois
2 Vehicle Code.

3 Section 15. The Illinois Vehicle Code is amended by adding
4 Section 3-606.5 as follows:

5 (625 ILCS 5/3-606.5 new)

6 Sec. 3-606.5. Retired Executive Branch Constitutional
7 Officers. Upon receipt of a request from a retired executive
8 branch constitutional officer, accompanied by the appropriate
9 application and fee, the Secretary of State shall issue to the
10 retired executive branch constitutional officer plates bearing
11 appropriate wording or abbreviations indicating that the
12 holder is a retired executive branch constitutional officer
13 and the office held. Such plates may be issued for a 2-year
14 period beginning on January 1 of each odd-numbered year and
15 ending on December 31 of the subsequent even-numbered year.
16 Upon the death of a retired executive branch constitutional
17 officer who has been issued a retired executive branch
18 constitutional officer plate, the retired executive branch
19 constitutional officer's surviving spouse shall be entitled to
20 retain the plate so long as the surviving spouse is a resident
21 of Illinois and transfers the registration to his or her name
22 within 90 days of the death of the retired executive branch
23 constitutional officer. For purposes of this Section, "retired
24 executive branch constitutional officer" means any individual

1 who has served at least one full term of office as (i)
2 Governor; (ii) Lieutenant Governor; (iii) Attorney General;
3 (iv) Secretary of State; (v) Comptroller; or (vi) Treasurer;
4 and who was not removed from office pursuant to Section 14 of
5 Article IV of the Illinois Constitution of 1970.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".