



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4592

Introduced 1/31/2024, by Rep. Kam Buckner

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4
625 ILCS 5/6-101

from Ch. 95 1/2, par. 6-101

Amends the Illinois Identification Card Act and the Illinois Vehicle Code. Allows the Secretary of State to issue a mobile Illinois Identification Card or mobile driver's license to an individual who is otherwise eligible to hold a physical credential, in addition to an identification card or driver's license, if the Secretary of State has issued an identification card or driver's license to the person. Allows the Secretary to enter into agreements or to contract with an agency of the State, another state, the United States, or a third party to facilitate the issuance, use, and verification of a mobile identification card or driver's license issued by the Secretary or another state. Requires the data elements that are used to build an electronic credential to match the individual's current Department record. Requires all mobile identification cards and driver's licenses issued by the Secretary to be in accordance with the most recent standards of the American Association of Motor Vehicle Administrators. Provides that, when required by law and upon request by law enforcement, a credential holder must provide the credential holder's physical credential. Provides that the display of a mobile identification card and driver's license shall not serve as consent or authorization for a law enforcement officer, or any other person, to search, view, or access any other data or application on the mobile device.

LRB103 37116 MXP 67235 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 5. The Illinois Identification Card Act is amended
5 by changing Section 4 as follows:

6 (15 ILCS 335/4)

7 (Text of Section before amendment by P.A. 103-210)

8 Sec. 4. Identification card.

9 (a) In accordance with the requirement's of this Section,
10 the ~~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 or a peace officer,
19 the applicant may elect to have his or her office or work
20 address listed on the card instead of the applicant's
21 residence or mailing address. The Secretary may promulgate
22 rules to implement this provision. For the purposes of this
23 subsection (a-10), "peace officer" means any person who by
24 virtue of his or her office or public employment is vested by
25 law with a duty to maintain public order or to make arrests for
26 a violation of any penal statute of this State, whether that

1 duty extends to all violations or is limited to specific
2 violations.

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

18 (a-20) The Secretary of State shall issue a standard
19 Illinois Identification Card to a person committed to the
20 Department of Corrections or Department of Juvenile Justice
21 upon receipt of the person's birth certificate, social
22 security card, photograph, proof of residency upon discharge,
23 and an identification card application transferred via a
24 secure method as agreed upon by the Secretary and the
25 Department of Corrections or Department of Juvenile Justice.
26 Illinois residency shall be established by submission of a

1 Secretary of State prescribed Identification Card verification
2 form completed by the respective Department.

3 (a-25) The Secretary of State shall issue a limited-term
4 Illinois Identification Card valid for 90 days to a committed
5 person upon release on parole, mandatory supervised release,
6 aftercare release, final discharge, or pardon from the
7 Department of Corrections or Department of Juvenile Justice,
8 if the released person is unable to present a certified copy of
9 his or her birth certificate and social security card or other
10 documents authorized by the Secretary, but does present a
11 Secretary of State prescribed Identification Card verification
12 form completed by the Department of Corrections or Department
13 of Juvenile Justice, verifying the released person's date of
14 birth, social security number, and his or her Illinois
15 residence address. The verification form must have been
16 completed no more than 30 days prior to the date of application
17 for the Illinois Identification Card.

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

25 (a-30) The Secretary of State shall issue a standard
26 Illinois Identification Card to a person upon conditional

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

16 (a-35) The Secretary of State shall issue a limited-term
17 Illinois Identification Card valid for 90 days to a person
18 upon conditional release or absolute discharge from the
19 custody of the Department of Human Services, if the person is
20 unable to present a certified copy of his or her birth
21 certificate and social security card or other documents
22 authorized by the Secretary, but does present a Secretary of
23 State prescribed verification form completed by the Department
24 of Human Services, verifying the person's date of birth and
25 social security number, and a document proving his or her
26 Illinois residence address. The verification form must have

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

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

1 designation indicating that the card is an Illinois Person
2 with a Disability Identification Card, and shall include a
3 comprehensible designation of the type and classification of
4 the applicant's disability as set out in Section 4A of this
5 Act. However, the Secretary of State may provide by rule for
6 the issuance of Illinois Person with a Disability
7 Identification Cards without photographs if the applicant has
8 a bona fide religious objection to being photographed or to
9 the display of his or her photograph. If the applicant so
10 requests, the card shall include a description of the
11 applicant's disability and any information about the
12 applicant's disability or medical history which the Secretary
13 determines would be helpful to the applicant in securing
14 emergency medical care. If a mark is used in lieu of a
15 signature, such mark shall be affixed to the card in the
16 presence of two witnesses who attest to the authenticity of
17 the mark. The Illinois Person with a Disability Identification
18 Card may be used for identification purposes in any lawful
19 situation by the person to whom it was issued.

20 The Illinois Person with a Disability Identification Card
21 may be used as adequate documentation of disability in lieu of
22 a physician's determination of disability, a determination of
23 disability from a physician assistant, a determination of
24 disability from an advanced practice registered nurse, or any
25 other documentation of disability whenever any State law
26 requires that a person with a disability provide such

1 documentation of disability, however an Illinois Person with a
2 Disability Identification Card shall not qualify the
3 cardholder to participate in any program or to receive any
4 benefit which is not available to all persons with like
5 disabilities. Notwithstanding any other provisions of law, an
6 Illinois Person with a Disability Identification Card, or
7 evidence that the Secretary of State has issued an Illinois
8 Person with a Disability Identification Card, shall not be
9 used by any person other than the person named on such card to
10 prove that the person named on such card is a person with a
11 disability or for any other purpose unless the card is used for
12 the benefit of the person named on such card, and the person
13 named on such card consents to such use at the time the card is
14 so used.

15 An optometrist's determination of a visual disability
16 under Section 4A of this Act is acceptable as documentation
17 for the purpose of issuing an Illinois Person with a
18 Disability Identification Card.

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

23 (c) The Secretary of State shall provide that each
24 original or renewal Illinois Identification Card or Illinois
25 Person with a Disability Identification Card issued to a
26 person under the age of 21 shall be of a distinct nature from

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

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

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

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

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

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

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

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

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

15 (4) The Secretary shall design the mobile identification
16 card in a manner that allows the credential holder to maintain
17 physical possession of the device on which the mobile
18 identification card is accessed during verification.

19 (g) The verification process shall be implemented to
20 require:

21 (1) the relying parties to authenticate electronic
22 credentials in accordance with applicable AAMVA standards
23 prior to acceptance of the electronic credential;

24 (2) the Secretary to ensure that electronic credential
25 data is subject to all jurisdictional data security and
26 privacy protection laws and regulations; and

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

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

6 (1) the relying parties shall retain only electronic
7 credential data elements for which the relying party
8 explicitly obtained consent from the electronic credential
9 holder and shall inform the electronic credential holder
10 of the use and retention period of the electronic data
11 elements; and

12 (2) the Secretary shall use an electronic credential
13 system that is designed to maximize the privacy of the
14 credential holder in accordance with State and federal law
15 and shall not track or compile information without the
16 credential holder's consent; and

17 (3) the Department shall only compile and disclose
18 information regarding the use of the credential as
19 required by State or federal law.

20 (i) (1) The electronic credential holder shall be required
21 to have their physical credential on their person for all
22 purposes for which an identification card is required.

23 (2) Electronic credential systems shall be designed so
24 that there is no requirement for the electronic credential
25 holder to display or relinquish possession of the credential
26 holder's mobile device to relying parties for the acceptance

1 of an electronic credential.

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

5 (4) Any law or regulation that requires an individual to
6 surrender individual's physical credential to law enforcement
7 does not apply to the device on which an electronic credential
8 has been provisioned.

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

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

17 (l) The display of a mobile identification card shall not
18 serve as consent or authorization for a law enforcement
19 officer, or any other person, to search, view, or access any
20 other data or application on the mobile device. If a person
21 presents the person's mobile device to a law enforcement
22 officer for purposes of displaying a mobile identification
23 card, the law enforcement officer shall promptly return the
24 mobile device to the person once the officer has had an
25 opportunity to verify the identity of the person.

26 (m) The fee to install the application to display a mobile

1 identification card as defined in this subsection shall not
2 exceed \$6.

3 (n) As used in this Section:

4 "AAMVA" means the American Association of Motor Vehicle
5 Administrators.

6 "Credential" means a driver's license, learner's permit,
7 or identification card.

8 "Credential holder" means the individual to whom a mobile
9 identification card is issued.

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

12 "Department" means the Secretary of State Department of
13 Driver Services.

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

18 "Electronic credential system" means a digital process
19 that includes a method for provisioning electronic
20 credentials, requesting and transmitting electronic credential
21 data elements, and performing tasks to maintain the system.

22 "Full profile" means all the information provided on an
23 identification card.

24 "ISO" means the International Organization for
25 Standardization, which creates uniform processes and
26 procedures.

1 "Limited profile" means a portion of the information
2 provided on an identification card.

3 "Mobile identification card" means a data file that is
4 available on any mobile device that has connectivity to the
5 Internet through an application that allows the mobile device
6 to download the data file from the Secretary of State, that
7 contains all the data elements visible on the face and back of
8 an identification card, and that displays the current status
9 of the identification card. "Mobile identification card" does
10 not include a copy, photograph, or image of an Illinois
11 Identification Card that is not downloaded through the
12 application on a mobile device.

13 "Physical credential" means a Department issued document
14 that conveys identity in accordance with the Illinois
15 Identification Card Act.

16 "Provision" means the initial loading of an electronic
17 credential onto a device.

18 "Relying party" means the entity to which the credential
19 holder presents the electronic credential.

20 "Verification process" means a method of authenticating
21 the electronic credential through the use of secured
22 encryption communication.

23 (Source: P.A. 102-299, eff. 8-6-21; 103-345, eff. 1-1-24.)

24 (Text of Section after amendment by P.A. 103-210)

25 Sec. 4. Identification card.

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

25 (a-5) If an applicant for an identification card has a
26 current driver's license or instruction permit issued by the

1 Secretary of State, the Secretary may require the applicant to
2 utilize the same residence address and name on the
3 identification card, driver's license, and instruction permit
4 records maintained by the Secretary. The Secretary may
5 promulgate rules to implement this provision.

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

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

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

7 (a-20) The Secretary of State shall issue a standard
8 Illinois Identification Card to a person committed to the
9 Department of Corrections or Department of Juvenile Justice
10 upon receipt of the person's birth certificate, social
11 security card, if the person has a social security number,
12 photograph, proof of residency upon discharge, and an
13 identification card application transferred via a secure
14 method as agreed upon by the Secretary and the Department of
15 Corrections or Department of Juvenile Justice, ~~if the person~~
16 ~~has a social security number,~~. Illinois residency shall be
17 established by submission of a Secretary of State prescribed
18 Identification Card verification form completed by the
19 respective Department.

20 (a-25) The Secretary of State shall issue a limited-term
21 Illinois Identification Card valid for 90 days to a committed
22 person upon release on parole, mandatory supervised release,
23 aftercare release, final discharge, or pardon from the
24 Department of Corrections or Department of Juvenile Justice,
25 if the released person is unable to present a certified copy of
26 his or her birth certificate and social security card, if the

1 person has a social security number, or other documents
2 authorized by the Secretary, but does present a Secretary of
3 State prescribed Identification Card verification form
4 completed by the Department of Corrections or Department of
5 Juvenile Justice, verifying the released person's date of
6 birth, social security number, if the person has a social
7 security number, and his or her Illinois residence address.
8 The verification form must have been completed no more than 30
9 days prior to the date of application for the Illinois
10 Identification Card.

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

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

1 of State shall issue a standard Illinois Identification Card
2 to a person prior to his or her conditional release or absolute
3 discharge if personnel from the Department of Human Services
4 bring the person to a Secretary of State location with the
5 required documents. Documents proving residence address may
6 include any official document of the Department of Human
7 Services showing the person's address after release and a
8 Secretary of State prescribed verification form, which may be
9 executed by personnel of the Department of Human Services.

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

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

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

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

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

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

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

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

19 (c) The Secretary of State shall provide that each
20 original or renewal Illinois Identification Card or Illinois
21 Person with a Disability Identification Card issued to a
22 person under the age of 21 shall be of a distinct nature from
23 those Illinois Identification Cards or Illinois Person with a
24 Disability Identification Cards issued to individuals 21 years
25 of age or older. The color designated for Illinois
26 Identification Cards or Illinois Person with a Disability

1 Identification Cards for persons under the age of 21 shall be
2 at the discretion of the Secretary of State.

3 (c-1) Each original or renewal Illinois Identification
4 Card or Illinois Person with a Disability Identification Card
5 issued to a person under the age of 21 shall display the date
6 upon which the person becomes 18 years of age and the date upon
7 which the person becomes 21 years of age.

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

23 (c-5) Beginning on or before July 1, 2015, the Secretary
24 of State shall designate a space on each original or renewal
25 identification card where, at the request of the applicant,
26 the word "veteran" shall be placed. The veteran designation

1 shall be available to a person identified as a veteran under
2 subsection (b) of Section 5 of this Act who was discharged or
3 separated under honorable conditions.

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

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

23 (f) (1) The Secretary of State may issue a mobile
24 identification card to an individual who is otherwise eligible
25 to hold a physical credential in addition to, and not instead
26 of, an identification card if the Secretary of State has

1 issued an identification card to the person. The data elements
2 that are used to build an electronic credential must match the
3 individual's current Department record.

4 (2) The Secretary may enter into agreements or
5 contract with an agency of the State, another state, the
6 United States, or a third party to facilitate the
7 issuance, use, and verification of a mobile identification
8 card issued by the Secretary or another state.

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

12 (4) The Secretary shall design the mobile
13 identification card in a manner that allows the credential
14 holder to maintain physical possession of the device on
15 which the mobile identification card is accessed during
16 verification.

17 (g) The verification process shall be implemented to
18 require:

19 (1) the relying parties to authenticate electronic
20 credentials in accordance with applicable AAMVA standards
21 prior to acceptance of the electronic credential;

22 (2) the Secretary to ensure that electronic credential
23 data is subject to all jurisdictional data security and
24 privacy protection laws and regulations; and

25 (3) the relying parties to request only electronic
26 credential data elements that are necessary to complete

1 the transaction for which data is being requested.

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

4 (1) the relying parties shall retain only electronic
5 credential data elements for which the relying party
6 explicitly obtained consent from the electronic credential
7 holder and shall inform the electronic credential holder
8 of the use and retention period of the electronic data
9 elements;

10 (2) the Secretary shall use an electronic credential
11 system that is designed to maximize the privacy of the
12 credential holder in accordance with State and federal law
13 and shall not track or compile information without the
14 credential holder's consent; and

15 (3) the Department shall only compile and disclose
16 information regarding the use of the credential as
17 required by State or federal law.

18 (i)(1) The electronic credential holder shall be required
19 to have their physical credential on their person for all
20 purposes for which an identification card is required.

21 (2) Electronic credential systems shall be designed so
22 that there is no requirement for the electronic credential
23 holder to display or relinquish possession of the credential
24 holder's mobile device to relying parties for the acceptance
25 of an electronic credential.

26 (3) When required by law and upon request by law

1 enforcement, a credential holder must provide the credential
2 holder's physical credential.

3 (4) Any law or regulation that requires an individual to
4 surrender their physical credential to law enforcement does
5 not apply to the device on which an electronic credential has
6 been provisioned.

7 (j) A person may be required to produce when so requested a
8 physical identification card to a law enforcement officer, a
9 representative of a State or federal department or agency, or
10 a private entity and is subject to all applicable laws and
11 consequences for failure to produce such an identification
12 card.

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

15 (l) The display of a mobile identification card shall not
16 serve as consent or authorization for a law enforcement
17 officer, or any other person, to search, view, or access any
18 other data or application on the mobile device. If a person
19 presents the person's mobile device to a law enforcement
20 officer for purposes of displaying a mobile identification
21 card, the law enforcement officer shall promptly return the
22 mobile device to the person once the officer has had an
23 opportunity to verify the identity of the person.

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

1 (n) As used in this Section:

2 "AAMVA" means the American Association of Motor Vehicle
3 Administrators.

4 "Credential" means a driver's license, learner's permit,
5 or identification card.

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

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

10 "Department" means the Secretary of State Department of
11 Driver Services.

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

16 "Electronic credential system" means a digital process
17 that includes a method for provisioning electronic
18 credentials, requesting and transmitting electronic credential
19 data elements, and performing tasks to maintain the system.

20 "Full profile" means all the information provided on an
21 identification card.

22 "ISO" means the International Organization for
23 Standardization, which creates uniform processes and
24 procedures.

25 "Limited profile" means a portion of the information
26 provided on an Identification Card.

1 "Mobile identification card" means a data file that is
2 available on any mobile device that has connectivity to the
3 Internet through an application that allows the mobile device
4 to download the data file from the Secretary of State, that
5 contains all the data elements visible on the face and back of
6 an identification card, and that displays the current status
7 of the identification card. "Mobile identification card" does
8 not include a copy, photograph, or image of an Illinois
9 Identification Card that is not downloaded through the
10 application on a mobile device.

11 "Physical credential" means a Department issued document
12 that conveys identity in accordance with the Illinois
13 Identification Card Act.

14 "Provision" means the initial loading of an electronic
15 credential onto a device.

16 "Relying party" means the entity to which the credential
17 holder presents the electronic credential.

18 "Verification process" means a method of authenticating
19 the electronic credential through the use of secured
20 encryption communication.

21 (Source: P.A. 102-299, eff. 8-6-21; 103-210, eff. 7-1-24;
22 103-345, eff. 1-1-24; revised 12-12-23.)

23 Section 10. The Illinois Vehicle Code is amended by
24 changing Section 6-101 as follows:

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

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

3 (a) No person, except those expressly exempted by Section
4 6-102, shall drive any motor vehicle upon a highway in this
5 State unless such person has a valid license or permit, an
6 Illinois mobile driver's license, or a restricted driving
7 permit, issued under the provisions of this Act.

8 (b) No person shall drive a motor vehicle unless the
9 person ~~he~~ holds a valid license or permit, an Illinois mobile
10 driver's license, or a restricted driving permit issued under
11 ~~the provisions of Section 6-205, 6-206, or 6-113 of this Act.~~
12 Any person to whom a license is issued under the provisions of
13 this Act must surrender to the Secretary of State all valid
14 licenses or permits, except that an applicant for a
15 non-domiciled commercial learner's permit or commercial
16 driver's license shall not be required to surrender a license
17 or permit issued by the applicant's state or country of
18 domicile. No driver's ~~drivers~~ license or instruction permit
19 shall be issued to any person who holds a valid Foreign State
20 license, identification card, or permit unless such person
21 first surrenders to the Secretary of State any such valid
22 Foreign State license, identification card, or permit.

23 (b-5) Any person who commits a violation of subsection (a)
24 or (b) of this Section is guilty of a Class A misdemeanor, if
25 at the time of the violation the person's driver's license or
26 permit was cancelled under clause (a)9 of Section 6-201 of

1 this Code.

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

6 (d) In addition to other penalties imposed under this
7 Section, any person in violation of this Section who is also in
8 violation of Section 7-601 of this Code relating to mandatory
9 insurance requirements shall have his or her motor vehicle
10 immediately impounded by the arresting law enforcement
11 officer. The motor vehicle may be released to any licensed
12 driver upon a showing of proof of insurance for the motor
13 vehicle that was impounded and the notarized written consent
14 for the release by the vehicle owner.

15 (e) In addition to other penalties imposed under this
16 Section, the vehicle of any person in violation of this
17 Section who is also in violation of Section 7-601 of this Code
18 relating to mandatory insurance requirements and who, in
19 violating this Section, has caused death or personal injury to
20 another person is subject to forfeiture under Sections 36-1
21 and 36-2 of the Criminal Code of 2012. For the purposes of this
22 Section, a personal injury shall include any type A injury as
23 indicated on the traffic crash report completed by a law
24 enforcement officer that requires immediate professional
25 attention in either a doctor's office or a medical facility. A
26 type A injury shall include severely bleeding wounds,

1 distorted extremities, and injuries that require the injured
2 party to be carried from the scene.

3 (f) (1) The Secretary of State may issue a mobile driver's
4 license to an individual in addition to, and not instead of, a
5 license or an identification card if the Secretary of State
6 has issued a driver's license to the person.

7 (2) The Secretary may enter into agreements with an agency
8 of the State, another state, or the United States to
9 facilitate the issuance, use, and verification of a mobile
10 driver's license issued by the Secretary or another state.

11 (3) Any mobile driver's license issued by the Secretary
12 shall be in accordance with American Association of Motor
13 Vehicle Administrator's Mobile Driver's License (mDL)
14 Implementation Guidelines, Version 1.1.

15 (4) The Secretary shall design the mobile driver's license
16 in a manner that allows the credential holder to maintain
17 physical possession of the device on which the electronic
18 credential is accessed during verification.

19 (g) As used in this Section:

20 "Mobile driver's license" means a data file available on
21 any mobile device that has connectivity to the Internet
22 through an application that allows the mobile device to
23 download the data file from the Secretary of State and
24 contains all of the data elements visible on the face and back
25 of a driver's license, and displays the current status of the
26 license. "Mobile driver's license" does not include a digital

1 copy, photograph, or image of a driver's license that is not
2 downloaded through the application on a mobile device.

3 (h) A person may be required to produce when so requested a
4 physical driver's license to a law enforcement officer, a
5 representative of a State or federal department or agency, or
6 a private entity and is subject to all applicable laws and
7 consequences for failure to produce such a license.

8 (i) The Secretary of State shall adopt such rules as are
9 necessary to implement a digitized driver's license.

10 (j) The display of a mobile driver's license shall not
11 serve as consent or authorization for a law enforcement
12 officer, or any other person, to search, view, or access any
13 other data or application on the mobile device. If a person
14 presents his or her mobile device to a law enforcement officer
15 for purposes of displaying a mobile driver's license, the law
16 enforcement officer shall promptly return the mobile device to
17 the person once the officer has had an opportunity to verify
18 the identity and license status of the person.

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

22 (Source: P.A. 102-982, eff. 7-1-23.)

23 Section 95. No acceleration or delay. Where this Act makes
24 changes in a statute that is represented in this Act by text
25 that is not yet or no longer in effect (for example, a Section

1 represented by multiple versions), the use of that text does
2 not accelerate or delay the taking effect of (i) the changes
3 made by this Act or (ii) provisions derived from any other
4 Public Act.