



Rep. Dave Vella

Filed: 5/23/2024

10300SB0125ham002

LRB103 05307 LNS 74011 a

1 AMENDMENT TO SENATE BILL 125

2 AMENDMENT NO. _____. Amend Senate Bill 125 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Sections 27-24.2 and 27-24.2a as follows:

6 (105 ILCS 5/27-24.2) (from Ch. 122, par. 27-24.2)

7 Sec. 27-24.2. Safety education; driver education course.
8 Instruction shall be given in safety education in each of
9 grades one through 8, equivalent to one class period each
10 week, and any school district which maintains grades 9 through
11 12 shall offer a driver education course in any such school
12 which it operates. Its curriculum shall include content
13 dealing with Chapters 11, 12, 13, 15, and 16 of the Illinois
14 Vehicle Code, the rules adopted pursuant to those Chapters
15 insofar as they pertain to the operation of motor vehicles,
16 and the portions of the Litter Control Act relating to the

1 operation of motor vehicles. The course of instruction given
2 in grades 10 through 12 shall include an emphasis on the
3 development of knowledge, attitudes, habits, and skills
4 necessary for the safe operation of motor vehicles, including
5 motorcycles insofar as they can be taught in the classroom,
6 and instruction on distracted driving as a major traffic
7 safety issue. In addition, the course shall include
8 instruction on special hazards existing at and required safety
9 and driving precautions that must be observed at emergency
10 situations, highway construction and maintenance zones, and
11 railroad crossings and the approaches thereto. Beginning with
12 the 2017-2018 school year, the course shall also include
13 instruction concerning law enforcement procedures for traffic
14 stops, including a demonstration of the proper actions to be
15 taken during a traffic stop and appropriate interactions with
16 law enforcement. Beginning with the 2024-2025 school year, the
17 course shall also include information pertaining to the best
18 practices for safely sharing the roadway with bicyclists and
19 pedestrians. The course of instruction required of each
20 eligible student at the high school level shall consist of a
21 minimum of 30 clock hours of classroom instruction and a
22 minimum of 6 clock hours of individual behind-the-wheel
23 instruction in a dual control car on public roadways taught by
24 a driver education instructor endorsed by the State Board of
25 Education. A school district's decision to allow a student to
26 take a portion of the driver education course through a

1 distance learning program must be determined on a case-by-case
2 basis and must be approved by the school's administration,
3 including the student's driver education teacher, and the
4 student's parent or guardian. Under no circumstances may the
5 student take the entire driver education course through a
6 distance learning program. Both the classroom instruction part
7 and the practice driving part of a driver education course
8 shall be open to a resident or non-resident student attending
9 a non-public school in the district wherein the course is
10 offered. Each student attending any public or non-public high
11 school in the district must receive a passing grade in at least
12 8 courses during the previous 2 semesters prior to enrolling
13 in a driver education course, or the student shall not be
14 permitted to enroll in the course; provided that the local
15 superintendent of schools (with respect to a student attending
16 a public high school in the district) or chief school
17 administrator (with respect to a student attending a
18 non-public high school in the district) may waive the
19 requirement if the superintendent or chief school
20 administrator, as the case may be, deems it to be in the best
21 interest of the student. A student may be allowed to commence
22 the classroom instruction part of such driver education course
23 prior to reaching age 15 if such student then will be eligible
24 to complete the entire course within 12 months after being
25 allowed to commence such classroom instruction.

26 A school district may offer a driver education course in a

1 school by contracting with a commercial driver training school
2 to provide both the classroom instruction part and the
3 practice driving part or either one without having to request
4 a modification or waiver of administrative rules of the State
5 Board of Education if the school district approves the action
6 during a public hearing on whether to enter into a contract
7 with a commercial driver training school. The public hearing
8 shall be held at a regular or special school board meeting
9 prior to entering into such a contract. If a school district
10 chooses to approve a contract with a commercial driver
11 training school, then the district must provide evidence to
12 the State Board of Education that the commercial driver
13 training school with which it will contract holds a license
14 issued by the Secretary of State under Article IV of Chapter 6
15 of the Illinois Vehicle Code and that each instructor employed
16 by the commercial driver training school to provide
17 instruction to students served by the school district holds a
18 valid teaching license issued under the requirements of this
19 Code and rules of the State Board of Education. Such evidence
20 must include, but need not be limited to, a list of each
21 instructor assigned to teach students served by the school
22 district, which list shall include the instructor's name,
23 personal identification number as required by the State Board
24 of Education, birth date, and driver's license number. Once
25 the contract is entered into, the school district shall notify
26 the State Board of Education of any changes in the personnel

1 providing instruction either (i) within 15 calendar days after
2 an instructor leaves the program or (ii) before a new
3 instructor is hired. Such notification shall include the
4 instructor's name, personal identification number as required
5 by the State Board of Education, birth date, and driver's
6 license number. If the school district maintains an Internet
7 website, then the district shall post a copy of the final
8 contract between the district and the commercial driver
9 training school on the district's Internet website. If no
10 Internet website exists, then the school district shall make
11 available the contract upon request. A record of all materials
12 in relation to the contract must be maintained by the school
13 district and made available to parents and guardians upon
14 request. The instructor's date of birth and driver's license
15 number and any other personally identifying information as
16 deemed by the federal Driver's Privacy Protection Act of 1994
17 must be redacted from any public materials.

18 Such a course may be commenced immediately after the
19 completion of a prior course. Teachers of such courses shall
20 meet the licensure requirements of this Code and regulations
21 of the State Board as to qualifications. Except for a contract
22 with a Certified Driver Rehabilitation Specialist, a school
23 district that contracts with a third party to teach a driver
24 education course under this Section must ensure the teacher
25 meets the educator licensure and endorsement requirements
26 under Article 21B and must follow the same evaluation and

1 observation requirements that apply to non-tenured teachers
2 under Article 24A. The teacher evaluation must be conducted by
3 a school administrator employed by the school district and
4 must be submitted annually to the district superintendent and
5 all school board members for oversight purposes.

6 Subject to rules of the State Board of Education, the
7 school district may charge a reasonable fee, not to exceed
8 \$50, to students who participate in the course, unless a
9 student is unable to pay for such a course, in which event the
10 fee for such a student must be waived. However, the district
11 may increase this fee to an amount not to exceed \$250 by school
12 board resolution following a public hearing on the increase,
13 which increased fee must be waived for students who
14 participate in the course and are unable to pay for the course.
15 The total amount from driver education fees and reimbursement
16 from the State for driver education must not exceed the total
17 cost of the driver education program in any year and must be
18 deposited into the school district's driver education fund as
19 a separate line item budget entry. All moneys deposited into
20 the school district's driver education fund must be used
21 solely for the funding of a high school driver education
22 program approved by the State Board of Education that uses
23 driver education instructors endorsed by the State Board of
24 Education.

25 (Source: P.A. 101-183, eff. 8-2-19; 101-450, eff. 8-23-19;
26 102-558, eff. 8-20-21.)

1 (105 ILCS 5/27-24.2a)

2 Sec. 27-24.2a. Non-public school driver education course.
3 Beginning with the 2017-2018 school year, any non-public
4 school's driver education course shall include instruction
5 concerning law enforcement procedures for traffic stops,
6 including a demonstration of the proper actions to be taken
7 during a traffic stop and appropriate interactions with law
8 enforcement. Beginning with the 2024-2025 school year, the
9 course shall also include information pertaining to the best
10 practices for safely sharing the roadway with bicyclists and
11 pedestrians.

12 (Source: P.A. 99-720, eff. 1-1-17.)

13 Section 10. The Illinois Vehicle Code is amended by
14 changing Sections 2-112, 6-107.5, 6-109, 6-117, 6-205, 6-206,
15 6-208, 6-301, 6-521, 7-211, 7-503, 11-306, 11-307, 11-501.01,
16 11-501.1, 11-703, and 11-1425 and by adding Section 11-712 as
17 follows:

18 (625 ILCS 5/2-112) (from Ch. 95 1/2, par. 2-112)

19 Sec. 2-112. Distribution of synopsis laws.

20 (a) The Secretary of State may publish a synopsis or
21 summary of the laws of this State regulating the operation of
22 vehicles and may deliver a copy thereof without charge with
23 each original vehicle registration and with each original

1 driver's license.

2 (b) The Secretary of State shall make any necessary
3 revisions in its publications, including, but not limited to,
4 the Illinois Rules of the Road, to accurately conform its
5 publications to the provisions of the Pedestrians with
6 Disabilities Safety Act.

7 (c) The Secretary of State shall include, in the Illinois
8 Rules of the Road publication, information advising drivers of
9 the laws and best practices for safely sharing the roadway
10 with bicyclists and pedestrians, including, but not limited
11 to, information advising drivers to use the Dutch Reach method
12 when opening a vehicle door after parallel parking on a street
13 (checking the rear-view mirror, checking the side-view mirror,
14 then opening the door with the right hand, thereby reducing
15 the risk of injuring a bicyclist or opening the door in the
16 path a vehicle approaching from behind).

17 (d) The Secretary of State shall include, in the Illinois
18 Rules of the Road publication, information advising drivers to
19 use the zipper merge method when merging into a reduced number
20 of lanes (drivers in merging lanes are expected to use both
21 lanes to advance to the lane reduction point and merge at that
22 location, alternating turns).

23 (e) The Secretary of State, in consultation with the
24 Illinois State Police, shall include in the Illinois Rules of
25 the Road publication a description of law enforcement
26 procedures during traffic stops and the actions that a

1 motorist should take during a traffic stop, including
2 appropriate interactions with law enforcement officers.

3 (f) The Secretary of State shall include, in the Illinois
4 Rules of Road publication, information advising drivers on
5 best practices related to stranded motorists. This may
6 include, but is not limited to, how to safely pull the vehicle
7 out of traffic, activating hazard lights, when to remain in a
8 vehicle, how to safely exit a stranded vehicle, where to find a
9 safe place outside the stranded vehicle, and emergency numbers
10 to call for assistance.

11 (Source: P.A. 102-455, eff. 1-1-22; 103-249, eff. 1-1-24.)

12 (625 ILCS 5/6-107.5)

13 Sec. 6-107.5. Adult Driver Education Course.

14 (a) The Secretary shall establish by rule the curriculum
15 and designate the materials to be used in an adult driver
16 education course. The course shall be at least 6 hours in
17 length and shall include instruction on traffic laws; highway
18 signs, signals, and markings that regulate, warn, or direct
19 traffic; issues commonly associated with motor vehicle
20 crashes, including poor decision-making, risk taking, impaired
21 driving, distraction, speed, failure to use a safety belt,
22 driving at night, failure to yield the right-of-way, texting
23 while driving, using wireless communication devices, and
24 alcohol and drug awareness; ~~and~~ instruction on law enforcement
25 procedures during traffic stops, including actions that a

1 motorist should take during a traffic stop and appropriate
2 interactions with law enforcement officers; and information
3 advising drivers of the laws and best practices for safely
4 sharing the roadway with bicyclists and pedestrians. The
5 curriculum shall not require the operation of a motor vehicle.

6 (b) The Secretary shall certify course providers. The
7 requirements to be a certified course provider, the process
8 for applying for certification, and the procedure for
9 decertifying a course provider shall be established by rule.

10 (b-5) In order to qualify for certification as an adult
11 driver education course provider, each applicant must
12 authorize an investigation that includes a fingerprint-based
13 background check to determine if the applicant has ever been
14 convicted of a criminal offense and, if so, the disposition of
15 any conviction. This authorization shall indicate the scope of
16 the inquiry and the agencies that may be contacted. Upon
17 receiving this authorization, the Secretary of State may
18 request and receive information and assistance from any
19 federal, State, or local governmental agency as part of the
20 authorized investigation. Each applicant shall submit his or
21 her fingerprints to the Illinois State Police in the form and
22 manner prescribed by the Illinois State Police. These
23 fingerprints shall be checked against fingerprint records now
24 and hereafter filed in the Illinois State Police and Federal
25 Bureau of Investigation criminal history record databases. The
26 Illinois State Police shall charge applicants a fee for

1 conducting the criminal history record check, which shall be
2 deposited into the State Police Services Fund and shall not
3 exceed the actual cost of the State and national criminal
4 history record check. The Illinois State Police shall furnish,
5 pursuant to positive identification, records of Illinois
6 criminal convictions to the Secretary and shall forward the
7 national criminal history record information to the Secretary.
8 Applicants shall pay any other fingerprint-related fees.
9 Unless otherwise prohibited by law, the information derived
10 from the investigation, including the source of the
11 information and any conclusions or recommendations derived
12 from the information by the Secretary of State, shall be
13 provided to the applicant upon request to the Secretary of
14 State prior to any final action by the Secretary of State on
15 the application. Any criminal conviction information obtained
16 by the Secretary of State shall be confidential and may not be
17 transmitted outside the Office of the Secretary of State,
18 except as required by this subsection (b-5), and may not be
19 transmitted to anyone within the Office of the Secretary of
20 State except as needed for the purpose of evaluating the
21 applicant. At any administrative hearing held under Section
22 2-118 of this Code relating to the denial, cancellation,
23 suspension, or revocation of certification of an adult driver
24 education course provider, the Secretary of State may utilize
25 at that hearing any criminal history, criminal conviction, and
26 disposition information obtained under this subsection (b-5).

1 The information obtained from the investigation may be
2 maintained by the Secretary of State or any agency to which the
3 information was transmitted. Only information and standards
4 which bear a reasonable and rational relation to the
5 performance of providing adult driver education shall be used
6 by the Secretary of State. Any employee of the Secretary of
7 State who gives or causes to be given away any confidential
8 information concerning any criminal convictions or disposition
9 of criminal convictions of an applicant shall be guilty of a
10 Class A misdemeanor unless release of the information is
11 authorized by this Section.

12 (c) The Secretary may permit a course provider to offer
13 the course online, if the Secretary is satisfied the course
14 provider has established adequate procedures for verifying:

15 (1) the identity of the person taking the course
16 online; and

17 (2) the person completes the entire course.

18 (d) The Secretary shall establish a method of electronic
19 verification of a student's successful completion of the
20 course.

21 (e) The fee charged by the course provider must bear a
22 reasonable relationship to the cost of the course. The
23 Secretary shall post on the Secretary of State's website a
24 list of approved course providers, the fees charged by the
25 providers, and contact information for each provider.

26 (f) In addition to any other fee charged by the course

1 provider, the course provider shall collect a fee of \$5 from
2 each student to offset the costs incurred by the Secretary in
3 administering this program. The \$5 shall be submitted to the
4 Secretary within 14 days of the day on which it was collected.
5 All such fees received by the Secretary shall be deposited in
6 the Secretary of State Driver Services Administration Fund.
7 (Source: P.A. 102-455, eff. 1-1-22; 102-538, eff. 8-20-21;
8 102-813, eff. 5-13-22; 102-982, eff. 7-1-23.)

9 (625 ILCS 5/6-109)

10 Sec. 6-109. Examination of applicants.

11 (a) The Secretary of State shall examine every applicant
12 for a driver's license or permit who has not been previously
13 licensed as a driver under the laws of this State or any other
14 state or country, or any applicant for renewal of such
15 driver's license or permit when such license or permit has
16 been expired for more than one year. The Secretary of State
17 shall, subject to the provisions of paragraph (c), examine
18 every licensed driver at least every 8 years, and may examine
19 or re-examine any other applicant or licensed driver, provided
20 that during the years 1984 through 1991 those drivers issued a
21 license for 3 years may be re-examined not less than every 7
22 years or more than every 10 years.

23 The Secretary of State shall require the testing of the
24 eyesight of any driver's license or permit applicant who has
25 not been previously licensed as a driver under the laws of this

1 State and shall promulgate rules and regulations to provide
2 for the orderly administration of all the provisions of this
3 Section.

4 The Secretary of State shall include at least one test
5 question that concerns the provisions of the Pedestrians with
6 Disabilities Safety Act in the question pool used for the
7 written portion of the driver's license examination within one
8 year after July 22, 2010 (the effective date of Public Act
9 96-1167).

10 The Secretary of State shall include, in the question pool
11 used for the written portion of the driver's license
12 examination, test questions concerning safe driving in the
13 presence of bicycles, of which one may be concerning the Dutch
14 Reach method as described in Section 2-112.

15 The Secretary of State shall include, in the question pool
16 used for the written portion of the driver's license
17 examination, at least one test question concerning driver
18 responsibilities when approaching a stationary emergency
19 vehicle as described in Section 11-907.

20 (b) Except as provided for those applicants in paragraph
21 (c), such examination shall include a test of the applicant's
22 eyesight, his or her ability to read and understand official
23 traffic control devices, his or her knowledge of safe driving
24 practices and the traffic laws of this State, and may include
25 an actual demonstration of the applicant's ability to exercise
26 ordinary and reasonable control of the operation of a motor

1 vehicle, and such further physical and mental examination as
2 the Secretary of State finds necessary to determine the
3 applicant's fitness to operate a motor vehicle safely on the
4 highways, except the examination of an applicant 75 years of
5 age or older or, if the Secretary adopts rules under Section 37
6 of the Secretary of State Act to raise the age requirement for
7 actual demonstrations, the examination of an applicant who has
8 attained that increased age or is older shall include an
9 actual demonstration of the applicant's ability to exercise
10 ordinary and reasonable control of the operation of a motor
11 vehicle. All portions of written and verbal examinations under
12 this Section, excepting where the English language appears on
13 facsimiles of road signs, may be given in the Spanish language
14 and, at the discretion of the Secretary of State, in any other
15 language as well as in English upon request of the examinee.
16 Deaf persons who are otherwise qualified are not prohibited
17 from being issued a license, other than a commercial driver's
18 license, under this Code. The examination to test an
19 applicant's ability to read and understand official traffic
20 control devices and knowledge of safe driving practices and
21 the traffic laws of this State may be administered at a
22 Secretary of State facility, remotely via the Internet, or in
23 a manner otherwise specified by the Secretary of State in
24 administrative rule.

25 (c) Re-examination for those applicants who at the time of
26 renewing their driver's license possess a driving record

1 devoid of any convictions of traffic violations or evidence of
2 committing an offense for which mandatory revocation would be
3 required upon conviction pursuant to Section 6-205 at the time
4 of renewal shall be in a manner prescribed by the Secretary in
5 order to determine an applicant's ability to safely operate a
6 motor vehicle, except that every applicant for the renewal of
7 a driver's license who is 75 years of age or older or, if the
8 Secretary adopts rules under Section 37 of the Secretary of
9 State Act to raise the age requirement for actual
10 demonstrations, every applicant for the renewal of a driver's
11 license who has attained that increased age or is older must
12 prove, by an actual demonstration, the applicant's ability to
13 exercise reasonable care in the safe operation of a motor
14 vehicle.

15 (d) In the event the applicant is not ineligible under the
16 provisions of Section 6-103 to receive a driver's license, the
17 Secretary of State shall make provision for giving an
18 examination, either in the county where the applicant resides
19 or at a place adjacent thereto reasonably convenient to the
20 applicant, within not more than 30 days from the date said
21 application is received.

22 (e) The Secretary of State may adopt rules regarding the
23 use of foreign language interpreters during the application
24 and examination process.

25 (Source: P.A. 103-140, eff. 6-30-23.)

1 (625 ILCS 5/6-117) (from Ch. 95 1/2, par. 6-117)

2 Sec. 6-117. Records to be kept by the Secretary of State.

3 (a) The Secretary of State shall file every application
4 for a license or permit accepted under this Chapter, and shall
5 maintain suitable indexes thereof. The records of the
6 Secretary of State shall indicate the action taken with
7 respect to such applications.

8 (b) The Secretary of State shall maintain appropriate
9 records of all licenses and permits refused, cancelled,
10 disqualified, revoked, or suspended and of the revocation,
11 suspension, and disqualification of driving privileges of
12 persons not licensed under this Chapter, and such records
13 shall note the reasons for such action.

14 (c) The Secretary of State shall maintain appropriate
15 records of convictions reported under this Chapter. Records of
16 conviction may be maintained in a computer processible medium.

17 (d) The Secretary of State may also maintain appropriate
18 records of any crash reports received.

19 (e) The Secretary of State shall also maintain appropriate
20 records of any disposition of supervision or records relative
21 to a driver's referral to a driver remedial or rehabilitative
22 program, as required by the Secretary of State or the courts.
23 Such records shall only be available for use by the Secretary,
24 the driver licensing administrator of any other state, law
25 enforcement agencies, the courts, and the affected driver or,
26 upon proper verification, such affected driver's attorney.

1 (f) The Secretary of State shall also maintain or contract
2 to maintain appropriate records of all photographs and
3 signatures obtained in the process of issuing any driver's
4 license, permit, or identification card. The record shall be
5 confidential and shall not be disclosed except to those
6 entities listed under Section 6-110.1 of this Code.

7 (g) The Secretary of State may establish a First Person
8 Consent organ and tissue donor registry in compliance with
9 subsection (b-1) of Section 5-20 of the Illinois Anatomical
10 Gift Act, as follows:

11 (1) The Secretary shall offer, to each applicant for
12 issuance or renewal of a driver's license or
13 identification card who is 16 years of age or older, the
14 opportunity to have his or her name included in the First
15 Person Consent organ and tissue donor registry. The
16 Secretary must advise the applicant or licensee that he or
17 she is under no compulsion to have his or her name included
18 in the registry. An individual who agrees to having his or
19 her name included in the First Person Consent organ and
20 tissue donor registry has given full legal consent to the
21 donation of any of his or her organs or tissue upon his or
22 her death. A brochure explaining this method of executing
23 an anatomical gift must be given to each applicant for
24 issuance or renewal of a driver's license or
25 identification card. The brochure must advise the
26 applicant or licensee (i) that he or she is under no

1 compulsion to have his or her name included in this
2 registry and (ii) that he or she may wish to consult with
3 family, friends, or clergy before doing so.

4 (2) The Secretary of State may establish additional
5 methods by which an individual may have his or her name
6 included in the First Person Consent organ and tissue
7 donor registry.

8 (3) When an individual has agreed to have his or her
9 name included in the First Person Consent organ and tissue
10 donor registry, the Secretary of State shall note that
11 agreement in the First Person consent organ and tissue
12 donor registry. Representatives of federally designated
13 organ procurement agencies and tissue banks and the
14 offices of Illinois county coroners and medical examiners
15 may inquire of the Secretary of State whether a potential
16 organ donor's name is included in the First Person Consent
17 organ and tissue donor registry, and the Secretary of
18 State may provide that information to the representative.

19 (4) An individual may withdraw his or her consent to
20 be listed in the First Person Consent organ and tissue
21 donor registry maintained by the Secretary of State by
22 notifying the Secretary of State in writing, or by any
23 other means approved by the Secretary, of the individual's
24 decision to have his or her name removed from the
25 registry.

26 (5) The Secretary of State may undertake additional

1 efforts, including education and awareness activities, to
2 promote organ and tissue donation.

3 (6) In the absence of gross negligence or willful
4 misconduct, the Secretary of State and his or her
5 employees are immune from any civil or criminal liability
6 in connection with an individual's consent to be listed in
7 the organ and tissue donor registry.

8 (h) The Secretary of State may destroy a driving record
9 created 20 or more years ago for a person who was convicted of
10 an offense and who did not have an Illinois driver's license if
11 the record no longer contains any convictions or withdrawal of
12 driving privileges due to the convictions.

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

14 (625 ILCS 5/6-205)

15 Sec. 6-205. Mandatory revocation of license or permit;
16 hardship cases.

17 (a) Except as provided in this Section, the Secretary of
18 State shall immediately revoke the license, permit, or driving
19 privileges of any driver upon receiving a report of the
20 driver's conviction of any of the following offenses:

21 1. Reckless homicide resulting from the operation of a
22 motor vehicle;

23 2. Violation of Section 11-501 of this Code or a
24 similar provision of a local ordinance relating to the
25 offense of operating or being in physical control of a

1 vehicle while under the influence of alcohol, other drug
2 or drugs, intoxicating compound or compounds, or any
3 combination thereof;

4 3. Any felony under the laws of any State or the
5 federal government in the commission of which a motor
6 vehicle was used;

7 4. Violation of Section 11-401 of this Code relating
8 to the offense of leaving the scene of a traffic crash
9 involving death or personal injury;

10 5. Perjury or the making of a false affidavit or
11 statement under oath to the Secretary of State under this
12 Code or under any other law relating to the ownership or
13 operation of motor vehicles;

14 6. Conviction upon 3 charges of violation of Section
15 11-503 of this Code relating to the offense of reckless
16 driving committed within a period of 12 months;

17 7. Conviction of any offense defined in Section 4-102
18 of this Code if the person exercised actual physical
19 control over the vehicle during the commission of the
20 offense;

21 8. Violation of Section 11-504 of this Code relating
22 to the offense of drag racing;

23 9. Violation of Chapters 8 and 9 of this Code;

24 10. Violation of Section 12-5 of the Criminal Code of
25 1961 or the Criminal Code of 2012 arising from the use of a
26 motor vehicle;

1 11. Violation of Section 11-204.1 of this Code
2 relating to aggravated fleeing or attempting to elude a
3 peace officer;

4 12. Violation of paragraph (1) of subsection (b) of
5 Section 6-507, or a similar law of any other state,
6 relating to the unlawful operation of a commercial motor
7 vehicle;

8 13. Violation of paragraph (a) of Section 11-502 of
9 this Code or a similar provision of a local ordinance if
10 the driver has been previously convicted of a violation of
11 that Section or a similar provision of a local ordinance
12 and the driver was less than 21 years of age at the time of
13 the offense;

14 14. Violation of paragraph (a) of Section 11-506 of
15 this Code or a similar provision of a local ordinance
16 relating to the offense of street racing;

17 15. A second or subsequent conviction of driving while
18 the person's driver's license, permit, or privilege
19 ~~privileges~~ was revoked for reckless homicide or a similar
20 out-of-state offense;

21 16. Any offense against any provision in this Code, or
22 any local ordinance, regulating the movement of traffic
23 when that offense was the proximate cause of the death of
24 any person. Any person whose driving privileges have been
25 revoked pursuant to this paragraph may seek to have the
26 revocation terminated or to have the length of revocation

1 reduced by requesting an administrative hearing with the
2 Secretary of State prior to the projected driver's license
3 application eligibility date;

4 17. Violation of subsection (a-2) of Section 11-1301.3
5 of this Code or a similar provision of a local ordinance;

6 18. A second or subsequent conviction of illegal
7 possession, while operating or in actual physical control,
8 as a driver, of a motor vehicle, of any controlled
9 substance prohibited under the Illinois Controlled
10 Substances Act, any cannabis prohibited under the Cannabis
11 Control Act, or any methamphetamine prohibited under the
12 Methamphetamine Control and Community Protection Act. A
13 defendant found guilty of this offense while operating a
14 motor vehicle shall have an entry made in the court record
15 by the presiding judge that this offense did occur while
16 the defendant was operating a motor vehicle and order the
17 clerk of the court to report the violation to the
18 Secretary of State;

19 19. Violation of subsection (a) of Section 11-1414 of
20 this Code, or a similar provision of a local ordinance,
21 relating to the offense of overtaking or passing of a
22 school bus when the driver, in committing the violation,
23 is involved in a motor vehicle crash that results in death
24 to another and the violation is a proximate cause of the
25 death.

26 (b) The Secretary of State shall also immediately revoke

1 the license or permit of any driver in the following
2 situations:

3 1. Of any minor upon receiving the notice provided for
4 in Section 5-901 of the Juvenile Court Act of 1987 that the
5 minor has been adjudicated under that Act as having
6 committed an offense relating to motor vehicles prescribed
7 in Section 4-103 of this Code;

8 2. Of any person when any other law of this State
9 requires either the revocation or suspension of a license
10 or permit;

11 3. Of any person adjudicated under the Juvenile Court
12 Act of 1987 based on an offense determined to have been
13 committed in furtherance of the criminal activities of an
14 organized gang as provided in Section 5-710 of that Act,
15 and that involved the operation or use of a motor vehicle
16 or the use of a driver's license or permit. The revocation
17 shall remain in effect for the period determined by the
18 court.

19 (c) (1) Whenever a person is convicted of any of the
20 offenses enumerated in this Section, the court may recommend
21 and the Secretary of State in his discretion, without regard
22 to whether the recommendation is made by the court may, upon
23 application, issue to the person a restricted driving permit
24 granting the privilege of driving a motor vehicle between the
25 petitioner's residence and petitioner's place of employment or
26 within the scope of the petitioner's employment related

1 duties, or to allow the petitioner to transport himself or
2 herself or a family member of the petitioner's household to a
3 medical facility for the receipt of necessary medical care or
4 to allow the petitioner to transport himself or herself to and
5 from alcohol or drug remedial or rehabilitative activity
6 recommended by a licensed service provider, or to allow the
7 petitioner to transport himself or herself or a family member
8 of the petitioner's household to classes, as a student, at an
9 accredited educational institution, or to allow the petitioner
10 to transport children, elderly persons, or persons with
11 disabilities who do not hold driving privileges and are living
12 in the petitioner's household to and from daycare; if the
13 petitioner is able to demonstrate that no alternative means of
14 transportation is reasonably available and that the petitioner
15 will not endanger the public safety or welfare; provided that
16 the Secretary's discretion shall be limited to cases where
17 undue hardship, as defined by the rules of the Secretary of
18 State, would result from a failure to issue the restricted
19 driving permit.

20 (1.5) A person subject to the provisions of paragraph 4 of
21 subsection (b) of Section 6-208 of this Code may make
22 application for a restricted driving permit at a hearing
23 conducted under Section 2-118 of this Code after the
24 expiration of 5 years from the effective date of the most
25 recent revocation, or after 5 years from the date of release
26 from a period of imprisonment resulting from a conviction of

1 the most recent offense, whichever is later, provided the
2 person, in addition to all other requirements of the
3 Secretary, shows by clear and convincing evidence:

4 (A) a minimum of 3 years of uninterrupted abstinence
5 from alcohol and the unlawful use or consumption of
6 cannabis under the Cannabis Control Act, a controlled
7 substance under the Illinois Controlled Substances Act, an
8 intoxicating compound under the Use of Intoxicating
9 Compounds Act, or methamphetamine under the
10 Methamphetamine Control and Community Protection Act; and

11 (B) the successful completion of any rehabilitative
12 treatment and involvement in any ongoing rehabilitative
13 activity that may be recommended by a properly licensed
14 service provider according to an assessment of the
15 person's alcohol or drug use under Section 11-501.01 of
16 this Code.

17 In determining whether an applicant is eligible for a
18 restricted driving permit under this paragraph (1.5), the
19 Secretary may consider any relevant evidence, including, but
20 not limited to, testimony, affidavits, records, and the
21 results of regular alcohol or drug tests. Persons subject to
22 the provisions of paragraph 4 of subsection (b) of Section
23 6-208 of this Code and who have been convicted of more than one
24 violation of paragraph (3), paragraph (4), or paragraph (5) of
25 subsection (a) of Section 11-501 of this Code shall not be
26 eligible to apply for a restricted driving permit.

1 A restricted driving permit issued under this paragraph
2 (1.5) shall provide that the holder may only operate motor
3 vehicles equipped with an ignition interlock device as
4 required under paragraph (2) of subsection (c) of this Section
5 and subparagraph (A) of paragraph 3 of subsection (c) of
6 Section 6-206 of this Code. The Secretary may revoke a
7 restricted driving permit or amend the conditions of a
8 restricted driving permit issued under this paragraph (1.5) if
9 the holder operates a vehicle that is not equipped with an
10 ignition interlock device, or for any other reason authorized
11 under this Code.

12 A restricted driving permit issued under this paragraph
13 (1.5) shall be revoked, and the holder barred from applying
14 for or being issued a restricted driving permit in the future,
15 if the holder is subsequently convicted of a violation of
16 Section 11-501 of this Code, a similar provision of a local
17 ordinance, or a similar offense in another state or on a
18 military installation.

19 (2) If a person's license or permit is revoked or
20 suspended due to 2 or more convictions of violating Section
21 11-501 of this Code, ~~or~~ a similar provision of a local
22 ordinance or a similar out-of-state offense, or a similar
23 offense committed on a military installation, or due to 2 or
24 more convictions of violating Section 9-3 of the Criminal Code
25 of 1961 or the Criminal Code of 2012, where the use of alcohol
26 or other drugs is recited as an element of the offense, or a

1 similar out-of-state offense, or a combination of these
2 offenses, arising out of separate occurrences, that person, if
3 issued a restricted driving permit, may not operate a vehicle
4 unless it has been equipped with an ignition interlock device
5 as defined in Section 1-129.1.

6 (3) If:

7 (A) a person's license or permit is revoked or
8 suspended 2 or more times due to any combination of:

9 (i) a single conviction 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 a
12 similar offense committed on a military installation,
13 or Section 9-3 of the Criminal Code of 1961 or the
14 Criminal Code of 2012, where the use of alcohol or
15 other drugs is recited as an element of the offense, or
16 a similar out-of-state offense or a similar offense
17 committed on a military installation; or

18 (ii) a statutory summary suspension or revocation
19 under Section 11-501.1 or a suspension under paragraph
20 6 of subsection (a) of Section 6-206 for refusal of
21 chemical testing in another state or a suspension
22 under paragraph (31) of subsection (a) of Section
23 6-206; or

24 (iii) a suspension pursuant to Section 6-203.1;
25 arising out of separate occurrences; or

26 (B) a person has been convicted of one violation of

1 subparagraph (C) or (F) of paragraph (1) of subsection (d)
2 of Section 11-501 of this Code, Section 9-3 of the
3 Criminal Code of 1961 or the Criminal Code of 2012,
4 relating to the offense of reckless homicide where the use
5 of alcohol or other drugs was recited as an element of the
6 offense, or a similar provision of a law of another state
7 or military installation;

8 that person, if issued a restricted driving permit, may not
9 operate a vehicle unless it has been equipped with an ignition
10 interlock device as defined in Section 1-129.1.

11 (4) The person issued a permit conditioned on the use of an
12 ignition interlock device must pay to the Secretary of State
13 DUI Administration Fund an amount not to exceed \$30 per month.
14 The Secretary shall establish by rule the amount and the
15 procedures, terms, and conditions relating to these fees.

16 (5) If the restricted driving permit is issued for
17 employment purposes, then the prohibition against operating a
18 motor vehicle that is not equipped with an ignition interlock
19 device does not apply to the operation of an occupational
20 vehicle owned or leased by that person's employer when used
21 solely for employment purposes. For any person who, within a
22 5-year period, is convicted of a second or subsequent offense
23 under Section 11-501 of this Code, or a similar provision of a
24 local ordinance or similar out-of-state offense or a similar
25 offense committed on a military installation, this employment
26 exemption does not apply until either a one-year period has

1 elapsed during which that person had his or her driving
2 privileges revoked or a one-year period has elapsed during
3 which that person had a restricted driving permit which
4 required the use of an ignition interlock device on every
5 motor vehicle owned or operated by that person.

6 (6) In each case the Secretary of State may issue a
7 restricted driving permit for a period he deems appropriate,
8 except that the permit shall expire no later than 2 years from
9 the date of issuance. A restricted driving permit issued under
10 this Section shall be subject to cancellation, revocation, and
11 suspension by the Secretary of State in like manner and for
12 like cause as a driver's license issued under this Code may be
13 cancelled, revoked, or suspended; except that a conviction
14 upon one or more offenses against laws or ordinances
15 regulating the movement of traffic shall be deemed sufficient
16 cause for the revocation, suspension, or cancellation of a
17 restricted driving permit. The Secretary of State may, as a
18 condition to the issuance of a restricted driving permit,
19 require the petitioner to participate in a designated driver
20 remedial or rehabilitative program. The Secretary of State is
21 authorized to cancel a restricted driving permit if the permit
22 holder does not successfully complete the program. However, if
23 an individual's driving privileges have been revoked in
24 accordance with paragraph 13 of subsection (a) of this
25 Section, no restricted driving permit shall be issued until
26 the individual has served 6 months of the revocation period.

1 (c-5) (Blank).

2 (c-6) If a person is convicted of a second violation of
3 operating a motor vehicle while the person's driver's license,
4 permit or privilege was revoked, where the revocation was for
5 a violation of Section 9-3 of the Criminal Code of 1961 or the
6 Criminal Code of 2012 relating to the offense of reckless
7 homicide or a similar out-of-state offense or a similar
8 offense committed on a military installation, the person's
9 driving privileges shall be revoked pursuant to subdivision
10 (a) (15) of this Section. The person may not make application
11 for a license or permit until the expiration of five years from
12 the effective date of the revocation or the expiration of five
13 years from the date of release from a term of imprisonment,
14 whichever is later.

15 (c-7) If a person is convicted of a third or subsequent
16 violation of operating a motor vehicle while the person's
17 driver's license, permit or privilege was revoked, where the
18 revocation was for a violation of Section 9-3 of the Criminal
19 Code of 1961 or the Criminal Code of 2012 relating to the
20 offense of reckless homicide or a similar out-of-state offense
21 or a similar offense committed on a military installation, the
22 person may never apply for a license or permit.

23 (d) (1) Whenever a person under the age of 21 is convicted
24 under Section 11-501 of this Code or a similar provision of a
25 local ordinance or a similar out-of-state offense or a similar
26 offense committed on a military installation, the Secretary of

1 State shall revoke the driving privileges of that person. One
2 year after the date of revocation, and upon application, the
3 Secretary of State may, if satisfied that the person applying
4 will not endanger the public safety or welfare, issue a
5 restricted driving permit granting the privilege of driving a
6 motor vehicle only between the hours of 5 a.m. and 9 p.m. or as
7 otherwise provided by this Section for a period of one year.
8 After this one-year period, and upon reapplication for a
9 license as provided in Section 6-106, upon payment of the
10 appropriate reinstatement fee provided under paragraph (b) of
11 Section 6-118, the Secretary of State, in his discretion, may
12 reinstate the petitioner's driver's license and driving
13 privileges, or extend the restricted driving permit as many
14 times as the Secretary of State deems appropriate, by
15 additional periods of not more than 24 months each.

16 (2) If a person's license or permit is revoked or
17 suspended due to 2 or more convictions of violating Section
18 11-501 of this Code or a similar provision of a local ordinance
19 or a similar out-of-state offense, or a similar offense
20 committed on a military installation, or Section 9-3 of the
21 Criminal Code of 1961 or the Criminal Code of 2012, where the
22 use of alcohol or other drugs is recited as an element of the
23 offense, or a similar out-of-state offense, or a similar
24 offense committed on a military installation, or a combination
25 of these offenses, arising out of separate occurrences, that
26 person, if issued a restricted driving permit, may not operate

1 a vehicle unless it has been equipped with an ignition
2 interlock device as defined in Section 1-129.1.

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

5 (A) a single conviction of violating Section 11-501 of
6 this Code or a similar provision of a local ordinance or a
7 similar out-of-state offense, or a similar offense
8 committed on a military installation, or Section 9-3 of
9 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 similar offense committed on a military institution;
13 or

14 (B) a statutory summary suspension or revocation under
15 Section 11-501.1; or

16 (C) a suspension pursuant to Section 6-203.1;
17 arising out of separate occurrences, that person, if issued a
18 restricted driving permit, may not operate a vehicle unless it
19 has been equipped with an ignition interlock device as defined
20 in Section 1-129.1.

21 (3.5) If a person's license or permit is revoked or
22 suspended due to a conviction for a violation of subparagraph
23 (C) or (F) of paragraph (1) of subsection (d) of Section 11-501
24 of this Code, or a similar provision of a local ordinance or
25 similar out-of-state offense, that person, if issued a
26 restricted driving permit, may not operate a vehicle unless it

1 has been equipped with an ignition interlock device as defined
2 in Section 1-129.1.

3 (4) The person issued a permit conditioned upon the use of
4 an interlock device must pay to the Secretary of State DUI
5 Administration Fund an amount not to exceed \$30 per month. The
6 Secretary shall establish by rule the amount and the
7 procedures, terms, and conditions relating to these fees.

8 (5) If the restricted driving permit is issued for
9 employment purposes, then the prohibition against driving a
10 vehicle that is not equipped with an ignition interlock device
11 does not apply to the operation of an occupational vehicle
12 owned or leased by that person's employer when used solely for
13 employment purposes. For any person who, within a 5-year
14 period, is convicted of a second or subsequent offense under
15 Section 11-501 of this Code, or a similar provision of a local
16 ordinance or similar out-of-state offense, or a similar
17 offense committed on a military installation, this employment
18 exemption does not apply until either a one-year period has
19 elapsed during which that person had his or her driving
20 privileges revoked or a one-year period has elapsed during
21 which that person had a restricted driving permit which
22 required the use of an ignition interlock device on every
23 motor vehicle owned or operated by that person.

24 (6) A restricted driving permit issued under this Section
25 shall be subject to cancellation, revocation, and suspension
26 by the Secretary of State in like manner and for like cause as

1 a driver's license issued under this Code may be cancelled,
2 revoked, or suspended; except that a conviction upon one or
3 more offenses against laws or ordinances regulating the
4 movement of traffic shall be deemed sufficient cause for the
5 revocation, suspension, or cancellation of a restricted
6 driving permit.

7 (d-5) The revocation of the license, permit, or driving
8 privileges of a person convicted of a third or subsequent
9 violation of Section 6-303 of this Code committed while his or
10 her driver's license, permit, or privilege was revoked because
11 of a violation of Section 9-3 of the Criminal Code of 1961 or
12 the Criminal Code of 2012, relating to the offense of reckless
13 homicide, or a similar provision of a law of another state or
14 military installation, is permanent. The Secretary may not, at
15 any time, issue a license or permit to that person.

16 (e) This Section is subject to the provisions of the
17 Driver License Compact.

18 (f) Any revocation imposed upon any person under
19 subsections 2 and 3 of paragraph (b) that is in effect on
20 December 31, 1988 shall be converted to a suspension for a like
21 period of time.

22 (g) The Secretary of State shall not issue a restricted
23 driving permit to a person under the age of 16 years whose
24 driving privileges have been revoked under any provisions of
25 this Code.

26 (h) The Secretary of State shall require the use of

1 ignition interlock devices for a period not less than 5 years
2 on all vehicles owned by a person who has been convicted of a
3 second or subsequent offense under Section 11-501 of this Code
4 or a similar provision of a local ordinance or a similar
5 provision of a law of another state or military installation.

6 The person must pay to the Secretary of State DUI
7 Administration Fund an amount not to exceed \$30 for each month
8 that he or she uses the device. The Secretary shall establish
9 by rule and regulation the procedures for certification and
10 use of the interlock system, the amount of the fee, and the
11 procedures, terms, and conditions relating to these fees.
12 During the time period in which a person is required to install
13 an ignition interlock device under this subsection (h), that
14 person shall only operate vehicles in which ignition interlock
15 devices have been installed, except as allowed by subdivision
16 (c) (5) or (d) (5) of this Section. Regardless of whether an
17 exemption under subdivision (c) (5) or (d) (5) applies, every
18 person subject to this subsection shall not be eligible for
19 reinstatement until the person installs an ignition interlock
20 device and maintains the ignition interlock device for 5
21 years.

22 (i) (Blank).

23 (j) In accordance with 49 C.F.R. 384, the Secretary of
24 State may not issue a restricted driving permit for the
25 operation of a commercial motor vehicle to a person holding a
26 CDL whose driving privileges have been revoked, suspended,

1 cancelled, or disqualified under any provisions of this Code.

2 (k) The Secretary of State shall notify by mail any person
3 whose driving privileges have been revoked under paragraph 16
4 of subsection (a) of this Section that his or her driving
5 privileges and driver's license will be revoked 90 days from
6 the date of the mailing of the notice.

7 (Source: P.A. 101-623, eff. 7-1-20; 102-299, eff. 8-6-21;
8 102-982, eff. 7-1-23.)

9 (625 ILCS 5/6-206)

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

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

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

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

24 3. Has been repeatedly involved as a driver in motor
25 vehicle collisions or has been repeatedly convicted of

1 offenses against laws and ordinances regulating the
2 movement of traffic, to a degree that indicates lack of
3 ability to exercise ordinary and reasonable care in the
4 safe operation of a motor vehicle or disrespect for the
5 traffic laws and the safety of other persons upon the
6 highway;

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

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

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

24 7. Has refused or failed to submit to an examination
25 provided for by Section 6-207 or has failed to pass the
26 examination;

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

3 9. Has made a false statement or knowingly concealed a
4 material fact or has used false information or
5 identification in any application for a license,
6 identification card, or permit;

7 10. Has possessed, displayed, or attempted to
8 fraudulently use any license, identification card, or
9 permit not issued to the person;

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

18 12. Has submitted to any portion of the application
19 process for another person or has obtained the services of
20 another person to submit to any portion of the application
21 process for the purpose of obtaining a license,
22 identification card, or permit for some other person;

23 13. Has operated a motor vehicle upon a highway of
24 this State when the person's driver's license or permit
25 was invalid under the provisions of Sections 6-107.1 and
26 6-110;

1 14. Has committed a violation of Section 6-301,
2 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
3 14B of the Illinois Identification Card Act or a similar
4 offense in another state if, at the time of the offense,
5 the person held an Illinois driver's license or
6 identification card;

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

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

15 17. Has refused to submit to a test, or tests, or a
16 similar out-of-state offense or a similar offense
17 committed on a military installation, as required under
18 Section 11-501.1 of this Code and the person has not
19 sought a hearing as provided for in Section 11-501.1;

20 18. (Blank);

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

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

26 21. Has been convicted of violating Section 11-402 of

1 this Code relating to leaving the scene of a crash
2 resulting in damage to a vehicle in excess of \$1,000, in
3 which case the suspension shall be for one year;

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

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

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

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

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

26 27. (Blank);

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:
18 criminal sexual assault, predatory criminal sexual assault
19 of a child, aggravated criminal sexual assault, criminal
20 sexual abuse, aggravated criminal sexual abuse, juvenile
21 pimping, soliciting for a juvenile prostitute, promoting
22 juvenile prostitution as described in subdivision (a)(1),
23 (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code
24 of 1961 or the Criminal Code of 2012, and the manufacture,
25 sale or delivery of controlled substances or instruments
26 used for illegal drug use or abuse in which case the

1 driver's driving privileges shall be suspended for one
2 year;

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

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

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

26 33. Has as a driver, who was less than 21 years of age

1 on the date of the offense, been convicted a first time of
2 a violation of paragraph (a) of Section 11-502 of this
3 Code or a similar provision of a local ordinance;

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

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

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

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

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

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

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

25 41. Has committed a second or subsequent violation of
26 Section 11-605.1 of this Code, a similar provision of a

1 local ordinance, or a similar violation in any other state
2 within 2 years of the date of the previous violation, in
3 which case the suspension shall be for 90 days;

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

7 43. Has received a disposition of court supervision
8 for a violation of subsection (a), (d), or (e) of Section
9 6-20 of the Liquor Control Act of 1934 or a similar
10 provision of a local ordinance and the person was an
11 occupant of a motor vehicle at the time of the violation,
12 in which case the suspension shall be for a period of 3
13 months;

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

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

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

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

5 48. Has submitted a falsified or altered medical
6 examiner's certificate to the Secretary of State or
7 provided false information to obtain a medical examiner's
8 certificate;

9 49. Has been convicted of a violation of Section
10 11-1002 or 11-1002.5 that resulted in a Type A injury to
11 another, in which case the driving privileges of the
12 person shall be suspended for 12 months;

13 50. 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 of the person shall be suspended for 12
17 months;

18 51. Has committed a violation of Section 10-15 Of the
19 Cannabis Regulation and Tax Act or a similar provision of
20 a local ordinance while in a motor vehicle; or

21 52. Has committed a violation of subsection (b) of
22 Section 10-20 of the Cannabis Regulation and Tax Act or a
23 similar provision of a local ordinance.

24 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
25 and 27 of this subsection, license means any driver's license,
26 any traffic ticket issued when the person's driver's license

1 is deposited in lieu of bail, a suspension notice issued by the
2 Secretary of State, a duplicate or corrected driver's license,
3 a probationary driver's license, or a temporary driver's
4 license.

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

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

20 2. If the Secretary of State suspends the driver's license
21 of a person under subsection 2 of paragraph (a) of this
22 Section, a person's privilege to operate a vehicle as an
23 occupation shall not be suspended, provided an affidavit is
24 properly completed, the appropriate fee received, and a permit
25 issued prior to the effective date of the suspension, unless 5
26 offenses were committed, at least 2 of which occurred while

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

20 The provisions of this subparagraph shall not apply to any
21 driver required to possess a CDL for the purpose of operating a
22 commercial motor vehicle.

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

1 3. At the conclusion of a hearing under Section 2-118 of
2 this Code, the Secretary of State shall either rescind or
3 continue an order of revocation or shall substitute an order
4 of suspension; or, good cause appearing therefor, rescind,
5 continue, change, or extend the order of suspension. If the
6 Secretary of State does not rescind the order, the Secretary
7 may upon application, to relieve undue hardship (as defined by
8 the rules of the Secretary of State), issue a restricted
9 driving permit granting the privilege of driving a motor
10 vehicle between the petitioner's residence and petitioner's
11 place of employment or within the scope of the petitioner's
12 employment-related duties, or to allow the petitioner to
13 transport himself or herself, or a family member of the
14 petitioner's household to a medical facility, to receive
15 necessary medical care, to allow the petitioner to transport
16 himself or herself to and from alcohol or drug remedial or
17 rehabilitative activity recommended by a licensed service
18 provider, or to allow the petitioner to transport himself or
19 herself or a family member of the petitioner's household to
20 classes, as a student, at an accredited educational
21 institution, or to allow the petitioner to transport children,
22 elderly persons, or persons with disabilities who do not hold
23 driving privileges and are living in the petitioner's
24 household to and from daycare. The petitioner must demonstrate
25 that no alternative means of transportation is reasonably
26 available and that the petitioner will not endanger the public

1 safety or welfare.

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

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

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

1 (ii) a statutory summary suspension or revocation
2 under Section 11-501.1 or a suspension under paragraph
3 (6) of subsection (a) of Section 6-206 for refusal of
4 chemical testing in another state or a suspension
5 under paragraph (31) of subsection (a) of Section
6 6-206; or

7 (iii) a suspension under Section 6-203.1;
8 arising out of separate occurrences; that person, if
9 issued a restricted driving permit, may not operate a
10 vehicle unless it has been equipped with an ignition
11 interlock device as defined in Section 1-129.1.

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

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

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

19 (E) In each case the Secretary may issue a restricted
20 driving permit for a period deemed appropriate, except
21 that all permits shall expire no later than 2 years from
22 the date of issuance. A restricted driving permit issued
23 under this Section shall be subject to cancellation,
24 revocation, and suspension by the Secretary of State in
25 like manner and for like cause as a driver's license
26 issued under this Code may be cancelled, revoked, or

1 suspended; except that a conviction upon one or more
2 offenses against laws or ordinances regulating the
3 movement of traffic shall be deemed sufficient cause for
4 the revocation, suspension, or cancellation of a
5 restricted driving permit. The Secretary of State may, as
6 a condition to the issuance of a restricted driving
7 permit, require the applicant to participate in a
8 designated driver remedial or rehabilitative program. The
9 Secretary of State is authorized to cancel a restricted
10 driving permit if the permit holder does not successfully
11 complete the program.

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

22 (i) a minimum of 3 years of uninterrupted
23 abstinence from alcohol and the unlawful use or
24 consumption of cannabis under the Cannabis Control
25 Act, a controlled substance under the Illinois
26 Controlled Substances Act, an intoxicating compound

1 under the Use of Intoxicating Compounds Act, or
2 methamphetamine under the Methamphetamine Control and
3 Community Protection Act; and

4 (ii) the successful completion of any
5 rehabilitative treatment and involvement in any
6 ongoing rehabilitative activity that may be
7 recommended by a properly licensed service provider
8 according to an assessment of the person's alcohol or
9 drug use under Section 11-501.01 of this Code.

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

21 A restricted driving permit issued under this
22 subparagraph (F) shall provide that the holder may only
23 operate motor vehicles equipped with an ignition interlock
24 device as required under paragraph (2) of subsection (c)
25 of Section 6-205 of this Code and subparagraph (A) of
26 paragraph 3 of subsection (c) of this Section. The

1 Secretary may revoke a restricted driving permit or amend
2 the conditions of a restricted driving permit issued under
3 this subparagraph (F) if the holder operates a vehicle
4 that is not equipped with an ignition interlock device, or
5 for any other reason authorized under this Code.

6 A restricted driving permit issued under this
7 subparagraph (F) shall be revoked, and the holder barred
8 from applying for or being issued a restricted driving
9 permit in the future, if the holder is convicted of a
10 violation of Section 11-501 of this Code, a similar
11 provision of a local ordinance, or a similar offense in
12 another state or on a military installation.

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

26 (c-4) In the case of a suspension under paragraph 43 of

1 subsection (a), the Secretary of State shall notify the person
2 by mail that his or her driving privileges and driver's
3 license will be suspended one month after the date of the
4 mailing of the notice.

5 (c-5) The Secretary of State may, as a condition of the
6 reissuance of a driver's license or permit to an applicant
7 whose driver's license or permit has been suspended before he
8 or she reached the age of 21 years pursuant to any of the
9 provisions of this Section, require the applicant to
10 participate in a driver remedial education course and be
11 retested under Section 6-109 of this Code.

12 (d) This Section is subject to the provisions of the
13 Driver License Compact.

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

18 (f) In accordance with 49 CFR 384, the Secretary of State
19 may not issue a restricted driving permit for the operation of
20 a commercial motor vehicle to a person holding a CDL whose
21 driving privileges have been suspended, revoked, cancelled, or
22 disqualified under any provisions of this Code.

23 (Source: P.A. 102-299, eff. 8-6-21; 102-558, eff. 8-20-21;
24 102-749, eff. 1-1-23; 102-813, eff. 5-13-22; 102-982, eff.
25 7-1-23; 103-154, eff. 6-30-23.)

1 (625 ILCS 5/6-208) (from Ch. 95 1/2, par. 6-208)

2 Sec. 6-208. Period of suspension - application after
3 revocation.

4 (a) Except as otherwise provided by this Code or any other
5 law of this State, the Secretary of State shall not suspend a
6 driver's license, permit, or privilege to drive a motor
7 vehicle on the highways for a period of more than one year.

8 (b) Any person whose license, permit, or privilege to
9 drive a motor vehicle on the highways has been revoked shall
10 not be entitled to have such license, permit, or privilege
11 renewed or restored. However, such person may, except as
12 provided under subsections (d) and (d-5) of Section 6-205,
13 make application for a license pursuant to Section 6-106 (i)
14 if the revocation was for a cause that has been removed or (ii)
15 as provided in the following subparagraphs:

16 1. Except as provided in subparagraphs 1.3, 1.5, 2, 3,
17 4, and 5, the person may make application for a license (A)
18 after the expiration of one year from the effective date
19 of the revocation, (B) in the case of a violation of
20 paragraph (b) of Section 11-401 of this Code or a similar
21 provision of a local ordinance, after the expiration of 3
22 years from the effective date of the revocation, or (C) in
23 the case of a violation of Section 9-3 of the Criminal Code
24 of 1961 or the Criminal Code of 2012 or a similar provision
25 of a law of another state or a military installation
26 relating to the offense of reckless homicide or a

1 violation of subparagraph (F) of paragraph 1 of subsection
2 (d) of Section 11-501 of this Code relating to aggravated
3 driving under the influence of alcohol, other drug or
4 drugs, intoxicating compound or compounds, or any
5 combination thereof, if the violation was the proximate
6 cause of a death, after the expiration of 2 years from the
7 effective date of the revocation or after the expiration
8 of 24 months from the date of release from a period of
9 imprisonment as provided in Section 6-103 of this Code,
10 whichever is later.

11 1.3. If the person is convicted of a second or
12 subsequent violation of Section 11-501 of this Code or a
13 similar provision of a local ordinance or a similar
14 out-of-state offense or a similar offense committed on a
15 military installation, or Section 9-3 of the Criminal Code
16 of 1961 or the Criminal Code of 2012, in which the use of
17 alcohol or other drugs is recited as an element of the
18 offense, or a similar out-of-state offense or a similar
19 offense committed on a military installation, or a
20 combination of these offenses, arising out of separate
21 occurrences, that person may not make application for a
22 driver's license until:

23 (A) the person has first been issued a restricted
24 driving permit by the Secretary of State; and

25 (B) the expiration of a continuous period of not
26 less than 5 years following the issuance of the

1 restricted driving permit during which the person's
2 restricted driving permit is not suspended, cancelled,
3 or revoked for a violation of any provision of law, or
4 any rule or regulation of the Secretary of State
5 relating to the required use of an ignition interlock
6 device.

7 1.5. If the person is convicted of a violation of
8 Section 6-303 of this Code committed while his or her
9 driver's license, permit, or privilege was revoked because
10 of a violation of Section 9-3 of the Criminal Code of 1961
11 or the Criminal Code of 2012, relating to the offense of
12 reckless homicide, or a similar provision of a law of
13 another state or a similar offense committed on a military
14 installation, the person may not make application for a
15 license or permit until the expiration of 3 years from the
16 date of the conviction.

17 2. If such person is convicted of committing a second
18 violation within a 20-year period of:

19 (A) Section 11-501 of this Code, ~~or~~ a similar
20 out-of-state offense, a similar provision of a local
21 ordinance, or a similar offense committed on a
22 military installation;

23 (B) Paragraph (b) of Section 11-401 of this Code, ~~or~~
24 a similar out-of-state offense, ~~or~~ a similar provision
25 of a local ordinance, or a similar offense committed
26 on a military installation;

1 (C) Section 9-3 of the Criminal Code of 1961 or the
2 Criminal Code of 2012, relating to the offense of
3 reckless homicide, a similar out-of-state offense, or
4 a similar offense committed on a military
5 installation; or

6 (D) any combination of the above offenses
7 committed at different instances;

8 then such person may not make application for a license
9 until after the expiration of 5 years from the effective
10 date of the most recent revocation. The 20-year period
11 shall be computed by using the dates the offenses were
12 committed and shall also include similar out-of-state
13 offenses and similar offenses committed on a military
14 installation.

15 2.5. If a person is convicted of a second violation of
16 Section 6-303 of this Code committed while the person's
17 driver's license, permit, or privilege was revoked because
18 of a violation of Section 9-3 of the Criminal Code of 1961
19 or the Criminal Code of 2012, relating to the offense of
20 reckless homicide, ~~or~~ a similar provision of a law of
21 another state, or a similar offense committed on a
22 military installation, the person may not make application
23 for a license or permit until the expiration of 5 years
24 from the date of release from a term of imprisonment.

25 3. However, except as provided in subparagraph 4, if
26 such person is convicted of committing a third violation

1 or any combination of the above offenses, including
2 similar out-of-state offenses and similar offenses
3 committed on a military installation, contained in
4 subparagraph 2, then such person may not make application
5 for a license until after the expiration of 10 years from
6 the effective date of the most recent revocation.

7 4. Except as provided in paragraph (1.5) of subsection
8 (c) of Section 6-205 and subparagraph (F) of paragraph 3
9 of subsection (c) of Section 6-206 of this Code, the
10 person may not make application for a license if the
11 person is convicted of committing a fourth or subsequent
12 violation of Section 11-501 of this Code or a similar
13 provision of a local ordinance, Section 11-401 of this
14 Code, Section 9-3 of the Criminal Code of 1961 or the
15 Criminal Code of 2012, or a combination of these offenses,
16 similar provisions of local ordinances, similar
17 out-of-state offenses, or similar offenses committed on a
18 military installation.

19 4.5. A bona fide resident of a foreign jurisdiction
20 who is subject to the provisions of subparagraph 4 of this
21 subsection (b) may make application for termination of the
22 revocation after a period of 10 years from the effective
23 date of the most recent revocation. However, if a person
24 who has been granted a termination of revocation under
25 this subparagraph 4.5 subsequently becomes a resident of
26 this State, the revocation shall be reinstated and the

1 person shall be subject to the provisions of subparagraph
2 4.

3 5. The person may not make application for a license
4 or permit if the person is convicted of a third or
5 subsequent violation of Section 6-303 of this Code
6 committed while his or her driver's license, permit, or
7 privilege was revoked because of a violation of Section
8 9-3 of the Criminal Code of 1961 or the Criminal Code of
9 2012, relating to the offense of reckless homicide, or a
10 similar provision of a law of another state, or a similar
11 offense committed on a military installation.

12 Notwithstanding any other provision of this Code, all
13 persons referred to in this paragraph (b) may not have their
14 privileges restored until the Secretary receives payment of
15 the required reinstatement fee pursuant to subsection (b) of
16 Section 6-118.

17 In no event shall the Secretary issue such license unless
18 and until such person has had a hearing pursuant to this Code
19 and the appropriate administrative rules and the Secretary is
20 satisfied, after a review or investigation of such person,
21 that to grant the privilege of driving a motor vehicle on the
22 highways will not endanger the public safety or welfare.

23 (c) (Blank).

24 (Source: P.A. 99-290, eff. 1-1-16; 99-296, eff. 1-1-16;
25 99-642, eff. 7-28-16.)

1 (625 ILCS 5/6-301) (from Ch. 95 1/2, par. 6-301)

2 Sec. 6-301. Unlawful use of license or permit.

3 (a) It is a violation of this Section for any person:

4 1. To display or cause to be displayed or have in his
5 possession any cancelled, revoked, or suspended license or
6 permit;

7 2. To lend his license or permit to any other person or
8 knowingly allow the use thereof by another;

9 3. To display or represent as his own any license or
10 permit issued to another;

11 4. To fail or refuse to surrender to the Secretary of
12 State or his agent or any peace officer upon his lawful
13 demand, any license or permit, which has been suspended,
14 revoked, or cancelled;

15 5. To allow any unlawful use of a license or permit
16 issued to him;

17 6. To submit to an examination or to obtain the
18 services of another person to submit to an examination for
19 the purpose of obtaining a drivers license or permit for
20 some other person. For purposes of this subsection,
21 "submission to an examination" includes providing answers
22 to the person taking the examination, whether those
23 answers are provided in person or remotely, via any
24 electronic device, including, but not limited to,
25 microphones and cell phones.

26 (b) Sentence.

1 1. Any person convicted of a violation of this Section
2 shall be guilty of a Class A misdemeanor and shall be
3 sentenced to a minimum fine of \$500 or 50 hours of
4 community service, preferably at an alcohol abuse
5 prevention program, if available.

6 2. Any person convicted of a second or subsequent
7 violation of this Section shall be guilty of a Class 4
8 felony.

9 3. In addition to any other sentence imposed under
10 paragraph 1 or 2 of this subsection (b), a person
11 convicted of a violation of paragraph 6 of subsection (a)
12 shall be imprisoned for not less than 7 days.

13 (c) This Section does not prohibit any lawfully authorized
14 investigative, protective, law enforcement or other activity
15 of any agency of the United States, State of Illinois or any
16 other state or political subdivision thereof.

17 (d) This Section does not apply to licenses and permits
18 invalidated under Section 6-301.3 of this Code.

19 (Source: P.A. 92-647, eff. 1-1-03; 92-883, eff. 1-13-03.)

20 (625 ILCS 5/6-521) (from Ch. 95 1/2, par. 6-521)

21 Sec. 6-521. Rulemaking Authority.

22 (a) The Secretary of State, using the authority to license
23 motor vehicle operators under this Code, may adopt such rules
24 and regulations as may be necessary to establish standards,
25 policies and procedures for the licensing and sanctioning of

1 commercial motor vehicle drivers in order to meet the
2 requirements of the Commercial Motor Vehicle Act of 1986
3 (CMVSA); subsequent federal rulemaking under 49 C.F.R. Part
4 383 or Part 1572; and administrative and policy decisions of
5 the U.S. Secretary of Transportation and the Federal Motor
6 Carrier Safety Administration. The Secretary may, as provided
7 in the CMVSA, establish stricter requirements for the
8 licensing of commercial motor vehicle drivers than those
9 established by the federal government.

10 (b) By January 1, 1994, the Secretary of State shall
11 establish rules and regulations for the issuance of a
12 restricted commercial driver's license for farm-related
13 service industries consistent with federal guidelines. The
14 restricted license shall be available for a seasonal period or
15 periods not to exceed a total of 210 ~~180~~ days in any 12-month
16 ~~12-month~~ period.

17 (c) (Blank).

18 (d) By July 1, 1995, the Secretary of State shall
19 establish rules and regulations for the issuance and
20 cancellation of a School Bus Driver's Permit. The permit shall
21 be required for the operation of a school bus as provided in
22 subsection (c), a non-restricted CDL with passenger
23 endorsement, or a properly classified driver's license. The
24 permit will establish that the school bus driver has met all
25 the requirements of the application and screening process
26 established by Section 6-106.1 of this Code.

1 (Source: P.A. 98-726, eff. 1-1-15.)

2 (625 ILCS 5/7-211) (from Ch. 95 1/2, par. 7-211)

3 Sec. 7-211. Duration of suspension.

4 (a) Unless a suspension is terminated under other
5 provisions of this Code, the driver's license or registration
6 and nonresident's operating privilege suspended as provided in
7 Section 7-205 shall remain suspended and shall not be renewed
8 nor shall any license or registration be issued to the person
9 until:

10 1. The person deposits or there shall be deposited and
11 filed on the person's behalf the security required under
12 Section 7-201;

13 2. (Blank); ~~Two years have elapsed following the date~~
14 ~~the driver's license and registrations were suspended and~~
15 ~~evidence satisfactory to the Secretary of State that~~
16 ~~during the period no action for damages arising out of a~~
17 ~~motor vehicle crash has been properly filed;~~

18 3. Receipt of proper notice that the person has filed
19 bankruptcy which would include all claims for personal
20 injury and property damage resulting from the crash;

21 4. (Blank); ~~or After the expiration of 5 years from~~
22 ~~the date of the crash, the Secretary of State has not~~
23 ~~received documentation that any action at law for damages~~
24 ~~arising out of the motor vehicle crash has been filed~~
25 ~~against the person; or~~

1 5. The applicable statute of limitations has expired
2 and the person seeking reinstatement provides evidence
3 satisfactory to the Secretary of State that, during the
4 statute of limitations period, no action for damages
5 arising out of the a motor vehicle crash has been properly
6 filed.

7 An affidavit that no action at law for damages arising out
8 of the motor vehicle crash has been filed against the
9 applicant, or if filed that it is not still pending shall be
10 prima facie evidence of that fact. The Secretary of State may
11 take whatever steps are necessary to verify the statement set
12 forth in the applicant's affidavit.

13 (b) The driver's license or registration and nonresident's
14 operating privileges suspended as provided in Section 7-205
15 shall also remain suspended and shall not be renewed nor shall
16 any license or registration be issued to the person until the
17 person gives proof of his or her financial responsibility in
18 the future as provided in Section 1-164.5. The proof is to be
19 maintained by the person in a manner satisfactory to the
20 Secretary of State for a period of 3 years after the date the
21 proof is first filed.

22 (Source: P.A. 102-52, eff. 1-1-22; 102-982, eff. 7-1-23.)

23 (625 ILCS 5/7-503) (from Ch. 95 1/2, par. 7-503)

24 Sec. 7-503. Unclaimed Security Deposits. During July,
25 annually, the Secretary shall compile a list of all securities

1 on deposit, pursuant to this Article, for one year since the
2 expiration of the applicable statute of limitations ~~more than~~
3 ~~3 years~~ and concerning which he has received no notice as to
4 the pendency of any judicial proceeding that could affect the
5 disposition thereof. Thereupon, he shall promptly send a
6 notice to the last known address of each depositor advising
7 him that his deposit will be subject to escheat to the State of
8 Illinois if not claimed within 30 days after the mailing date
9 of such notice. At the expiration of such time, the Secretary
10 of State shall file with the State Treasurer an order
11 directing the transfer of such deposit to the general revenue
12 fund in the State Treasury. Upon receipt of such order, the
13 State Treasurer shall make such transfer, after converting to
14 cash any other type of security. Thereafter any person having
15 a legal claim against such deposit may enforce it by
16 appropriate proceedings in the Court of Claims subject to the
17 limitations prescribed for such Court. At the expiration of
18 such limitation period such deposit shall escheat to the State
19 of Illinois.

20 (Source: P.A. 94-239, eff. 1-1-06.)

21 (625 ILCS 5/11-306) (from Ch. 95 1/2, par. 11-306)

22 Sec. 11-306. Traffic-control signal legend. Whenever
23 traffic is controlled by traffic-control signals exhibiting
24 different colored lights or color lighted arrows, successively
25 one at a time or in combination, only the colors green, red and

1 yellow shall be used, except for special pedestrian signals
2 carrying a word legend, and the lights shall indicate and
3 apply to drivers of vehicles, bicyclists, and pedestrians as
4 follows:

5 (a) Green indication.

6 1. Vehicular traffic facing a circular green signal
7 may proceed straight through or turn right or left unless
8 a sign at such place prohibits either such turn. Vehicular
9 traffic, including vehicles turning right or left, shall
10 yield the right of way to other vehicles, bicyclists, and
11 to pedestrians lawfully within the intersection or an
12 adjacent crosswalk at the time such signal is exhibited.

13 2. Vehicular traffic facing a green arrow signal,
14 shown alone or in combination with another indication, may
15 cautiously enter the intersection only to make the
16 movement indicated by such arrow, or such other movement
17 as is permitted by other indications shown at the same
18 time. Such vehicular traffic shall yield the right of way
19 to bicyclists and pedestrians lawfully within an adjacent
20 crosswalk and to other traffic lawfully using the
21 intersection.

22 3. Unless otherwise directed by a pedestrian-control
23 signal, as provided in Section 11-307, pedestrians facing
24 any green signal, except when the sole green signal is a
25 turn arrow, may proceed across the roadway within any
26 marked or unmarked crosswalk.

1 (b) Steady yellow indication.

2 1. Vehicular traffic facing a steady circular yellow
3 or yellow arrow signal is thereby warned that the related
4 green movement is being terminated or that a red
5 indication will be exhibited immediately thereafter.

6 2. Pedestrians facing a steady circular yellow or
7 yellow arrow signal, unless otherwise directed by a
8 pedestrian-control signal as provided in Section 11-307,
9 are thereby advised that there is insufficient time to
10 cross the roadway before a red indication is shown and no
11 pedestrian shall then start to cross the roadway.

12 (b-5) Flashing yellow arrow indication.

13 1. Vehicular traffic facing a flashing yellow arrow
14 indication may cautiously enter the intersection only to
15 make the movement indicated by the arrow and shall yield
16 the right-of-way to other vehicles and pedestrians
17 lawfully within the intersection or an adjacent crosswalk
18 at the time the signal is exhibited.

19 2. Pedestrians facing a flashing yellow arrow
20 indication, unless otherwise directed by a
21 pedestrian-control signal as provided in Section 11-307,
22 may proceed across the roadway within any marked or
23 unmarked crosswalk that crosses the lane or lanes used to
24 depart the intersection by traffic controlled by the
25 flashing yellow arrow indication. Pedestrians shall yield
26 the right-of-way to vehicles lawfully within the

1 intersection at the time that the flashing yellow signal
2 indication is first displayed.

3 (c) Steady red indication.

4 1. Except as provided in paragraphs 3 and 3.5 of this
5 subsection (c), vehicular traffic facing a steady circular
6 red signal alone shall stop at a clearly marked stop line,
7 but if there is no such stop line, before entering the
8 crosswalk on the near side of the intersection, or if
9 there is no such crosswalk, then before entering the
10 intersection, and shall remain standing until an
11 indication to proceed is shown.

12 2. Except as provided in paragraphs 3 and 3.5 of this
13 subsection (c), vehicular traffic facing a steady red
14 arrow signal shall not enter the intersection to make the
15 movement indicated by the arrow and, unless entering the
16 intersection to make a movement permitted by another
17 signal, shall stop at a clearly marked stop line, but if
18 there is no such stop line, before entering the crosswalk
19 on the near side of the intersection, or if there is no
20 such crosswalk, then before entering the intersection, and
21 shall remain standing until an indication permitting the
22 movement indicated by such red arrow is shown.

23 3. Except when a sign is in place prohibiting a turn
24 and local authorities by ordinance or State authorities by
25 rule or regulation prohibit any such turn, vehicular
26 traffic facing any steady red signal may cautiously enter

1 the intersection to turn right, or to turn left from a
2 one-way street into a one-way street, after stopping as
3 required by paragraph 1 or paragraph 2 of this subsection.
4 After stopping, the driver shall yield the right of way to
5 any vehicle in the intersection or approaching on another
6 roadway so closely as to constitute an immediate hazard
7 during the time such driver is moving across or within the
8 intersection or junction or roadways. Such driver shall
9 yield the right of way to bicyclists or pedestrians within
10 the intersection or an adjacent crosswalk.

11 3.5. ~~The In municipalities with less than 2,000,000~~
12 ~~inhabitants, after stopping as required by paragraph 1 or~~
13 ~~2 of this subsection,~~ the driver of a motorcycle or
14 bicycle, facing a steady red signal which fails to change
15 to a green signal within a reasonable period of time not
16 less than 120 seconds because of a signal malfunction or
17 because the signal has failed to detect the arrival of the
18 motorcycle or bicycle due to the vehicle's size or weight,
19 shall have the right to proceed, after yielding the right
20 of way to oncoming traffic facing a green signal, subject
21 to the rules applicable after making a stop at a stop sign
22 as required by Section 11-1204 of this Code.

23 4. Unless otherwise directed by a pedestrian-control
24 signal as provided in Section 11-307, pedestrians facing a
25 steady circular red or red arrow signal alone shall not
26 enter the roadway.

1 (d) In the event an official traffic control signal is
2 erected and maintained at a place other than an intersection,
3 the provisions of this Section shall be applicable except as
4 to provisions which by their nature can have no application.
5 Any stop required shall be at a traffic sign or a marking on
6 the pavement indicating where the stop shall be made or, in the
7 absence of such sign or marking, the stop shall be made at the
8 signal.

9 (e) The motorman of any streetcar shall obey the above
10 signals as applicable to vehicles.

11 (Source: P.A. 97-627, eff. 1-1-12; 97-762, eff. 7-6-12;
12 98-798, eff. 7-31-14.)

13 (625 ILCS 5/11-307) (from Ch. 95 1/2, par. 11-307)

14 Sec. 11-307. Pedestrian-control signals. Whenever special
15 pedestrian-control signals exhibiting the words "Walk" or
16 "Don't Walk" or the illuminated symbols of a walking person or
17 an upraised palm are in place such signals shall indicate as
18 follows:

19 (a) Walk or walking person symbol. Pedestrians facing such
20 signal may proceed across the roadway in the direction of the
21 signal, and shall be given the right of way by the drivers of
22 all vehicles. Bicyclists may proceed across the roadway in the
23 direction of the signal, shall be given the right of way by the
24 drivers of all vehicles, and shall yield the right of way to
25 all pedestrians.

1 (b) Don't Walk or upraised palm symbol. No pedestrian or
2 bicyclist shall start to cross the roadway in the direction of
3 such signal, but any pedestrian or bicyclist who has partly
4 completed his crossing on the Walk signal or walking person
5 symbol shall proceed to a sidewalk or safety island while the
6 "Don't Walk" signal or upraised palm symbol is illuminated,
7 steady, or flashing.

8 (Source: P.A. 81-553.)

9 (625 ILCS 5/11-501.01)

10 Sec. 11-501.01. Additional administrative sanctions.

11 (a) After a finding of guilt and prior to any final
12 sentencing or an order for supervision, for an offense based
13 upon an arrest for a violation of Section 11-501 or a similar
14 provision of a local ordinance, individuals shall be required
15 to undergo a professional evaluation to determine if an
16 alcohol, drug, or intoxicating compound abuse problem exists
17 and the extent of the problem, and undergo the imposition of
18 treatment as appropriate. Programs conducting these
19 evaluations shall be licensed by the Department of Human
20 Services. The cost of any professional evaluation shall be
21 paid for by the individual required to undergo the
22 professional evaluation.

23 (b) Any person who is found guilty of or pleads guilty to
24 violating Section 11-501, including any person receiving a
25 disposition of court supervision for violating that Section,

1 may be required by the Court to attend a victim impact panel
2 offered by, or under contract with, a county State's
3 Attorney's office, a probation and court services department,
4 Mothers Against Drunk Driving, or the Alliance Against
5 Intoxicated Motorists. All costs generated by the victim
6 impact panel shall be paid from fees collected from the
7 offender or as may be determined by the court.

8 (c) (Blank).

9 (d) The Secretary of State shall revoke the driving
10 privileges of any person convicted under Section 11-501 or a
11 similar provision of a local ordinance.

12 (e) The Secretary of State shall require the use of
13 ignition interlock devices for a period not less than 5 years
14 on all vehicles owned by a person who has been convicted of a
15 second or subsequent offense of Section 11-501 or a similar
16 provision of a local ordinance, a similar provision of a law of
17 another state, or a similar offense committed on a military
18 installation. The person must pay to the Secretary of State
19 DUI Administration Fund an amount not to exceed \$30 for each
20 month that he or she uses the device. The Secretary shall
21 establish by rule and regulation the procedures for
22 certification and use of the interlock system, the amount of
23 the fee, and the procedures, terms, and conditions relating to
24 these fees. During the time period in which a person is
25 required to install an ignition interlock device under this
26 subsection (e), that person shall only operate vehicles in

1 which ignition interlock devices have been installed, except
2 as allowed by subdivision (c) (5) or (d) (5) of Section 6-205 of
3 this Code.

4 (f) (Blank).

5 (g) The Secretary of State Police DUI Fund is created as a
6 special fund in the State treasury and, subject to
7 appropriation, shall be used for enforcement and prevention of
8 driving while under the influence of alcohol, other drug or
9 drugs, intoxicating compound or compounds or any combination
10 thereof, as defined by Section 11-501 of this Code, including,
11 but not limited to, the purchase of law enforcement equipment
12 and commodities to assist in the prevention of alcohol-related
13 criminal violence throughout the State; police officer
14 training and education in areas related to alcohol-related
15 crime, including, but not limited to, DUI training; and police
16 officer salaries, including, but not limited to, salaries for
17 hire back funding for safety checkpoints, saturation patrols,
18 and liquor store sting operations.

19 (h) Whenever an individual is sentenced for an offense
20 based upon an arrest for a violation of Section 11-501 or a
21 similar provision of a local ordinance, and the professional
22 evaluation recommends remedial or rehabilitative treatment or
23 education, neither the treatment nor the education shall be
24 the sole disposition and either or both may be imposed only in
25 conjunction with another disposition. The court shall monitor
26 compliance with any remedial education or treatment

1 recommendations contained in the professional evaluation.
2 Programs conducting alcohol or other drug evaluation or
3 remedial education must be licensed by the Department of Human
4 Services. If the individual is not a resident of Illinois,
5 however, the court may accept an alcohol or other drug
6 evaluation or remedial education program in the individual's
7 state of residence. Programs providing treatment must be
8 licensed under existing applicable alcoholism and drug
9 treatment licensure standards.

10 (i) (Blank).

11 (j) A person that is subject to a chemical test or tests of
12 blood under subsection (a) of Section 11-501.1 or subdivision
13 (c)(2) of Section 11-501.2 of this Code, whether or not that
14 person consents to testing, shall be liable for the expense up
15 to \$500 for blood withdrawal by a physician authorized to
16 practice medicine, a licensed physician assistant, a licensed
17 advanced practice registered nurse, a registered nurse, a
18 trained phlebotomist, a licensed paramedic, or a qualified
19 person other than a police officer approved by the Illinois
20 State Police to withdraw blood, who responds, whether at a law
21 enforcement facility or a health care facility, to a police
22 department request for the drawing of blood based upon refusal
23 of the person to submit to a lawfully requested breath test or
24 probable cause exists to believe the test would disclose the
25 ingestion, consumption, or use of drugs or intoxicating
26 compounds if:

1 (1) the person is found guilty of violating Section
2 11-501 of this Code or a similar provision of a local
3 ordinance; or

4 (2) the person pleads guilty to or stipulates to facts
5 supporting a violation of Section 11-503 of this Code or a
6 similar provision of a local ordinance when the plea or
7 stipulation was the result of a plea agreement in which
8 the person was originally charged with violating Section
9 11-501 of this Code or a similar local ordinance.

10 (Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21.)

11 (625 ILCS 5/11-501.1)

12 Sec. 11-501.1. Suspension of drivers license; statutory
13 summary alcohol, other drug or drugs, or intoxicating compound
14 or compounds related suspension or revocation; implied
15 consent.

16 (a) Any person who drives or is in actual physical control
17 of a motor vehicle upon the public highways of this State shall
18 be deemed to have given consent, subject to the provisions of
19 Section 11-501.2, to a chemical test or tests of blood,
20 breath, other bodily substance, or urine for the purpose of
21 determining the content of alcohol, other drug or drugs, or
22 intoxicating compound or compounds or any combination thereof
23 in the person's blood if arrested, as evidenced by the
24 issuance of a Uniform Traffic Ticket, for any offense as
25 defined in Section 11-501 or a similar provision of a local

1 ordinance, or if arrested for violating Section 11-401. If a
2 law enforcement officer has probable cause to believe the
3 person was under the influence of alcohol, other drug or
4 drugs, intoxicating compound or compounds, or any combination
5 thereof, the law enforcement officer shall request a chemical
6 test or tests which shall be administered at the direction of
7 the arresting officer. The law enforcement agency employing
8 the officer shall designate which of the aforesaid tests shall
9 be administered. Up to 2 additional tests of urine or other
10 bodily substance may be administered even after a blood or
11 breath test or both has been administered. For purposes of
12 this Section, an Illinois law enforcement officer of this
13 State who is investigating the person for any offense defined
14 in Section 11-501 may travel into an adjoining state, where
15 the person has been transported for medical care, to complete
16 an investigation and to request that the person submit to the
17 test or tests set forth in this Section. The requirements of
18 this Section that the person be arrested are inapplicable, but
19 the officer shall issue the person a Uniform Traffic Ticket
20 for an offense as defined in Section 11-501 or a similar
21 provision of a local ordinance prior to requesting that the
22 person submit to the test or tests. The issuance of the Uniform
23 Traffic Ticket shall not constitute an arrest, but shall be
24 for the purpose of notifying the person that he or she is
25 subject to the provisions of this Section and of the officer's
26 belief of the existence of probable cause to arrest. Upon

1 returning to this State, the officer shall file the Uniform
2 Traffic Ticket with the Circuit Clerk of the county where the
3 offense was committed, and shall seek the issuance of an
4 arrest warrant or a summons for the person.

5 (a-5) (Blank).

6 (b) Any person who is dead, unconscious, or who is
7 otherwise in a condition rendering the person incapable of
8 refusal, shall be deemed not to have withdrawn the consent
9 provided by paragraph (a) of this Section and the test or tests
10 may be administered, subject to the provisions of Section
11 11-501.2.

12 (c) A person requested to submit to a test as provided
13 above shall be warned by the law enforcement officer
14 requesting the test that a refusal to submit to the test will
15 result in the statutory summary suspension of the person's
16 privilege to operate a motor vehicle, as provided in Section
17 6-208.1 of this Code, and will also result in the
18 disqualification of the person's privilege to operate a
19 commercial motor vehicle, as provided in Section 6-514 of this
20 Code, if the person is a CDL holder. The person shall also be
21 warned that a refusal to submit to the test, when the person
22 was involved in a motor vehicle crash that caused personal
23 injury or death to another, will result in the statutory
24 summary revocation of the person's privilege to operate a
25 motor vehicle, as provided in Section 6-208.1, and will also
26 result in the disqualification of the person's privilege to

1 operate a commercial motor vehicle, as provided in Section
2 6-514 of this Code, if the person is a CDL holder. The person
3 shall also be warned by the law enforcement officer that if the
4 person submits to the test or tests provided in paragraph (a)
5 of this Section and the alcohol concentration in the person's
6 blood, other bodily substance, or breath is 0.08 or greater,
7 or testing discloses the presence of cannabis as listed in the
8 Cannabis Control Act with a tetrahydrocannabinol concentration
9 as defined in paragraph 6 of subsection (a) of Section
10 11-501.2 of this Code, or any amount of a drug, substance, or
11 compound resulting from the unlawful use or consumption of a
12 controlled substance listed in the Illinois Controlled
13 Substances Act, an intoxicating compound listed in the Use of
14 Intoxicating Compounds Act, or methamphetamine as listed in
15 the Methamphetamine Control and Community Protection Act is
16 detected in the person's blood, other bodily substance or
17 urine, a statutory summary suspension of the person's
18 privilege to operate a motor vehicle, as provided in Sections
19 6-208.1 and 11-501.1 of this Code, will be imposed. If the
20 person is also a CDL holder, he or she shall be warned by the
21 law enforcement officer that if the person submits to the test
22 or tests provided in paragraph (a) of this Section and the
23 alcohol concentration in the person's blood, other bodily
24 substance, or breath is 0.08 or greater, or any amount of a
25 drug, substance, or compound resulting from the unlawful use
26 or consumption of cannabis as covered by the Cannabis Control

1 Act, a controlled substance listed in the Illinois Controlled
2 Substances Act, an intoxicating compound listed in the Use of
3 Intoxicating Compounds Act, or methamphetamine as listed in
4 the Methamphetamine Control and Community Protection Act is
5 detected in the person's blood, other bodily substance, or
6 urine, a disqualification of the person's privilege to operate
7 a commercial motor vehicle, as provided in Section 6-514 of
8 this Code, will be imposed.

9 A person who is under the age of 21 at the time the person
10 is requested to submit to a test as provided above shall, in
11 addition to the warnings provided for in this Section, be
12 further warned by the law enforcement officer requesting the
13 test that if the person submits to the test or tests provided
14 in paragraph (a) of this Section and the alcohol concentration
15 in the person's blood, other bodily substance, or breath is
16 greater than 0.00 and less than 0.08, a suspension of the
17 person's privilege to operate a motor vehicle, as provided
18 under Sections 6-208.2 and 11-501.8 of this Code, will be
19 imposed. The results of this test shall be admissible in a
20 civil or criminal action or proceeding arising from an arrest
21 for an offense as defined in Section 11-501 of this Code or a
22 similar provision of a local ordinance or pursuant to Section
23 11-501.4 in prosecutions for reckless homicide brought under
24 the Criminal Code of 1961 or the Criminal Code of 2012. These
25 test results, however, shall be admissible only in actions or
26 proceedings directly related to the incident upon which the

1 test request was made.

2 A person requested to submit to a test shall also
3 acknowledge, in writing, receipt of the warning required under
4 this Section. If the person refuses to acknowledge receipt of
5 the warning, the law enforcement officer shall make a written
6 notation on the warning that the person refused to sign the
7 warning. A person's refusal to sign the warning shall not be
8 evidence that the person was not read the warning.

9 (d) If the person refuses testing or submits to a test that
10 discloses an alcohol concentration of 0.08 or more, or testing
11 discloses the presence of cannabis as listed in the Cannabis
12 Control Act with a tetrahydrocannabinol concentration as
13 defined in paragraph 6 of subsection (a) of Section 11-501.2
14 of this Code, or any amount of a drug, substance, or
15 intoxicating compound in the person's breath, blood, other
16 bodily substance, or urine resulting from the unlawful use or
17 consumption of a controlled substance listed in the Illinois
18 Controlled Substances Act, an intoxicating compound listed in
19 the Use of Intoxicating Compounds Act, or methamphetamine as
20 listed in the Methamphetamine Control and Community Protection
21 Act, the law enforcement officer shall immediately submit a
22 sworn report to the circuit court of venue and the Secretary of
23 State, certifying that the test or tests was or were requested
24 under paragraph (a) and the person refused to submit to a test,
25 or tests, or submitted to testing that disclosed an alcohol
26 concentration of 0.08 or more, testing discloses the presence

1 of cannabis as listed in the Cannabis Control Act with a
2 tetrahydrocannabinol concentration as defined in paragraph 6
3 of subsection (a) of Section 11-501.2 of this Code, or any
4 amount of a drug, substance, or intoxicating compound in the
5 person's breath, blood, other bodily substance, or urine
6 resulting from the unlawful use or consumption of a controlled
7 substance listed in the Illinois Controlled Substances Act, an
8 intoxicating compound listed in the Use of Intoxicating
9 Compounds Act, or methamphetamine as listed in the
10 Methamphetamine Control and Community Protection Act. If the
11 person is also a CDL holder and refuses testing or submits to a
12 test that discloses an alcohol concentration of 0.08 or more,
13 or any amount of a drug, substance, or intoxicating compound
14 in the person's breath, blood, other bodily substance, or
15 urine resulting from the unlawful use or consumption of
16 cannabis listed in the Cannabis Control Act, a controlled
17 substance listed in the Illinois Controlled Substances Act, an
18 intoxicating compound listed in the Use of Intoxicating
19 Compounds Act, or methamphetamine as listed in the
20 Methamphetamine Control and Community Protection Act, the law
21 enforcement officer shall also immediately submit a sworn
22 report to the circuit court of venue and the Secretary of
23 State, certifying that the test or tests was or were requested
24 under paragraph (a) and the person refused to submit to a test,
25 or tests, or submitted to testing that disclosed an alcohol
26 concentration of 0.08 or more, or any amount of a drug,

1 substance, or intoxicating compound in the person's breath,
2 blood, other bodily substance, or urine resulting from the
3 unlawful use or consumption of cannabis listed in the Cannabis
4 Control Act, a controlled substance listed in the Illinois
5 Controlled Substances Act, an intoxicating compound listed in
6 the Use of Intoxicating Compounds Act, or methamphetamine as
7 listed in the Methamphetamine Control and Community Protection
8 Act.

9 (e) Upon receipt of the sworn report of a law enforcement
10 officer submitted under paragraph (d), the Secretary of State
11 shall enter the statutory summary suspension or revocation and
12 disqualification for the periods specified in Sections 6-208.1
13 and 6-514, respectively, and effective as provided in
14 paragraph (g).

15 If the person is a first offender as defined in Section
16 11-500 of this Code, and is not convicted of a violation of
17 Section 11-501 of this Code or a similar provision of a local
18 ordinance, then reports received by the Secretary of State
19 under this Section shall, except during the actual time the
20 Statutory Summary Suspension is in effect, be privileged
21 information and for use only by the courts, police officers,
22 prosecuting authorities or the Secretary of State, unless the
23 person is a CDL holder, is operating a commercial motor
24 vehicle or vehicle required to be placarded for hazardous
25 materials, in which case the suspension shall not be
26 privileged. Reports received by the Secretary of State under

1 this Section shall also be made available to the parent or
2 guardian of a person under the age of 18 years that holds an
3 instruction permit or a graduated driver's license, regardless
4 of whether the statutory summary suspension is in effect. A
5 statutory summary revocation shall not be privileged
6 information.

7 (f) The law enforcement officer submitting the sworn
8 report under paragraph (d) shall serve immediate notice of the
9 statutory summary suspension or revocation on the person and
10 the suspension or revocation and disqualification shall be
11 effective as provided in paragraph (g).

12 (1) In cases involving a person who is not a CDL holder
13 where the blood alcohol concentration of 0.08 or greater
14 or any amount of a drug, substance, or compound resulting
15 from the unlawful use or consumption of a controlled
16 substance listed in the Illinois Controlled Substances
17 Act, an intoxicating compound listed in the Use of
18 Intoxicating Compounds Act, or methamphetamine as listed
19 in the Methamphetamine Control and Community Protection
20 Act is established by a subsequent analysis of blood,
21 other bodily substance, or urine or analysis of whole
22 blood or other bodily substance establishes a
23 tetrahydrocannabinol concentration as defined in paragraph
24 6 of subsection (a) of Section 11-501.2 of this Code,
25 collected at the time of arrest, the arresting officer or
26 arresting agency shall give notice as provided in this

1 Section or by deposit in the United States mail of the
2 notice in an envelope with postage prepaid and addressed
3 to the person at his or her address as shown on the Uniform
4 Traffic Ticket and the statutory summary suspension shall
5 begin as provided in paragraph (g).

6 (1.3) In cases involving a person who is a CDL holder
7 where the blood alcohol concentration of 0.08 or greater
8 or any amount of a drug, substance, or compound resulting
9 from the unlawful use or consumption of cannabis as
10 covered by the Cannabis Control Act, a controlled
11 substance listed in the Illinois Controlled Substances
12 Act, an intoxicating compound listed in the Use of
13 Intoxicating Compounds Act, or methamphetamine as listed
14 in the Methamphetamine Control and Community Protection
15 Act is established by a subsequent analysis of blood,
16 other bodily substance, or urine collected at the time of
17 arrest, the arresting officer or arresting agency shall
18 give notice as provided in this Section or by deposit in
19 the United States mail of the notice in an envelope with
20 postage prepaid and addressed to the person at his or her
21 address as shown on the Uniform Traffic Ticket and the
22 statutory summary suspension and disqualification shall
23 begin as provided in paragraph (g).

24 (1.5) The officer shall confiscate any Illinois
25 driver's license or permit on the person at the time of
26 arrest. If the person has a valid driver's license or

1 permit, the officer shall issue the person a receipt, in a
2 form prescribed by the Secretary of State, that will allow
3 that person to drive during the periods provided for in
4 paragraph (g). The officer shall immediately forward the
5 driver's license or permit to the Secretary of State
6 ~~circuit court of venue~~ along with the sworn report
7 provided for in paragraph (d).

8 (2) (Blank).

9 (g) The statutory summary suspension or revocation and
10 disqualification referred to in this Section shall take effect
11 on the 46th day following the date the notice of the statutory
12 summary suspension or revocation was given to the person.

13 (h) The following procedure shall apply whenever a person
14 is arrested for any offense as defined in Section 11-501 or a
15 similar provision of a local ordinance:

16 Upon receipt of the sworn report from the law enforcement
17 officer, the Secretary of State shall confirm the statutory
18 summary suspension or revocation by mailing a notice of the
19 effective date of the suspension or revocation to the person
20 and the court of venue. The Secretary of State shall also mail
21 notice of the effective date of the disqualification to the
22 person. However, should the sworn report be defective by not
23 containing sufficient information or be completed in error,
24 the confirmation of the statutory summary suspension or
25 revocation shall not be mailed to the person or entered to the
26 record; instead, the sworn report shall be forwarded to the

1 court of venue with a copy returned to the issuing agency
2 identifying any defect.

3 (i) As used in this Section, "personal injury" includes
4 any Type A injury as indicated on the traffic crash report
5 completed by a law enforcement officer that requires immediate
6 professional attention in either a doctor's office or a
7 medical facility. A Type A injury includes severely bleeding
8 wounds, distorted extremities, and injuries that require the
9 injured party to be carried from the scene.

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

11 (625 ILCS 5/11-703) (from Ch. 95 1/2, par. 11-703)

12 Sec. 11-703. Overtaking a vehicle on the left. The
13 following rules govern the overtaking and passing of vehicles
14 proceeding in the same direction, subject to those
15 limitations, exceptions, and special rules otherwise stated in
16 this Chapter:

17 (a) The driver of a vehicle overtaking another vehicle
18 proceeding in the same direction shall pass to the left
19 thereof at a safe distance and shall not again drive to the
20 right side of the roadway until safely clear of the
21 overtaken vehicle. In no event shall such movement be made
22 by driving off the pavement or the main traveled portion
23 of the roadway.

24 (b) Except when overtaking and passing on the right is
25 permitted, the driver of an overtaken vehicle shall give

1 way to the right in favor of the overtaking vehicle on
2 audible signal and shall not increase the speed of his
3 vehicle until completely passed by the overtaking vehicle.

4 (c) The driver of a 2 wheeled vehicle may not, in
5 passing upon the left of any vehicle proceeding in the
6 same direction, pass upon the right of any vehicle
7 proceeding in the same direction unless there is an
8 unobstructed lane of traffic available to permit such
9 passing maneuver safely.

10 (d) The operator of a motor vehicle overtaking a
11 bicycle or individual proceeding in the same direction on
12 a highway shall:

13 (1) if another lane of traffic proceeding in the
14 same direction is available, make a lane change into
15 another available lane with due regard for safety and
16 traffic conditions, if practicable and not prohibited
17 by law, before overtaking or passing the bicycle; and

18 (2) leave a safe distance, but not less than 3
19 feet, when passing the bicycle or individual and shall
20 maintain that distance until safely past the overtaken
21 bicycle or individual.

22 (d-5) A driver of a motor vehicle overtaking a bicycle
23 proceeding in the same direction on a highway may, subject
24 to the provisions in paragraph (d) of this Section and
25 Section 11-706 of this Code, pass to the left of the
26 bicycle on a portion of the highway designated as a

1 no-passing zone under Section 11-707 of this Code if the
2 driver is able to overtake and pass the bicycle when:

3 (1) the bicycle is traveling at a speed of less
4 than half of the posted speed limit of the highway;

5 (2) the driver is able to overtake and pass the
6 bicycle without exceeding the posted speed limit of
7 the highway; and

8 (3) there is sufficient distance to the left of
9 the centerline of the highway for the motor vehicle to
10 meet the overtaking and passing requirements under
11 this Section.

12 (e) A person driving a motor vehicle shall not, in a
13 reckless manner, drive the motor vehicle unnecessarily
14 close to, toward, or near a bicyclist, pedestrian, or a
15 person riding a horse or driving an animal drawn vehicle.

16 (f) Every person convicted of paragraph (e) of this
17 Section shall be guilty of a Class A misdemeanor if the
18 violation does not result in great bodily harm or
19 permanent disability or disfigurement to another. If the
20 violation results in great bodily harm or permanent
21 disability or disfigurement to another, the person shall
22 be guilty of a Class 3 felony.

23 (Source: P.A. 100-359, eff. 1-1-18.)

24 (625 ILCS 5/11-712 new)

25 Sec. 11-712. Driving in bicycle lanes, pedestrian or

1 bicycle trails or paths.

2 (a) No person shall drive a motor vehicle on a bicycle
3 lane, trail, or path designated by an official sign or marking
4 for the exclusive use of bicycles or pedestrians. A violation
5 of this Section is not an offense against traffic regulations
6 governing the movement of vehicles.

7 (b) This Section does not apply to an authorized vehicle.

8 (625 ILCS 5/11-1425) (from Ch. 95 1/2, par. 11-1425)

9 Sec. 11-1425. Stop when traffic obstructed.

10 (a) No driver shall enter an intersection or a marked
11 crosswalk or drive onto any railroad grade crossing unless
12 there is sufficient space on the other side of the
13 intersection, crosswalk or railroad grade crossing to
14 accommodate the vehicle he is operating without obstructing
15 the passage of other vehicles, pedestrians or railroad trains
16 notwithstanding any traffic-control signal indication to
17 proceed.

18 (b) No driver shall enter a highway rail grade crossing
19 unless there is sufficient space on the other side of the
20 highway rail grade crossing to accommodate the vehicle being
21 operated without obstructing the passage of a train or other
22 railroad equipment using the rails, notwithstanding any
23 traffic-control signal indication to proceed.

24 (b-5) No driver operating a commercial motor vehicle, as
25 defined in Section 6-500 of this Code, shall enter a highway

1 rail grade crossing unless there is sufficient space on the
2 other side of the highway rail grade crossing to accommodate
3 the vehicle being operated without obstructing the passage of
4 a train or other railroad equipment using the rails,
5 notwithstanding any traffic-control signal indication to
6 proceed.

7 (c) (Blank).

8 (d) Beginning with the effective date of this amendatory
9 Act of the 95th General Assembly, the Secretary of State shall
10 suspend for a period of one month the driving privileges of any
11 person convicted of a violation of subsections ~~subsection~~ (b)
12 and (b-5) of this Section or a similar provision of a local
13 ordinance; the Secretary shall suspend for a period of 3
14 months the driving privileges of any person convicted of a
15 second or subsequent violation of subsections ~~subsection~~ (b)
16 and (b-5) of this Section or a similar provision of a local
17 ordinance if the second or subsequent violation occurs within
18 5 years of a prior conviction for the same offense. In addition
19 to the suspensions authorized by this Section, any person
20 convicted of violating subsections ~~subsection~~ (b) and (b-5) of
21 this Section or a similar provision of a local ordinance shall
22 be subject to a mandatory fine of \$500 or 50 hours of community
23 service. Any person given a disposition of court supervision
24 for violating subsections ~~subsection~~ (b) and (b-5) of this
25 Section or a similar provision of a local ordinance shall also
26 be subject to a mandatory fine of \$500 or 50 hours of community

1 service. Upon a second or subsequent violation, in addition to
2 the suspensions authorized by this Section, the person shall
3 be subject to a mandatory fine of \$500 and 50 hours community
4 service. The Secretary may also grant, for the duration of any
5 suspension issued under this subsection, a restricted driving
6 permit granting the privilege of driving a motor vehicle
7 between the driver's residence and place of employment or
8 within other proper limits that the Secretary of State shall
9 find necessary to avoid any undue hardship. A restricted
10 driving permit issued hereunder shall be subject to
11 cancellation, revocation and suspension by the Secretary of
12 State in like manner and for like cause as a driver's license
13 may be cancelled, revoked or suspended; except that a
14 conviction upon one or more offenses against laws or
15 ordinances regulating the movement of traffic shall be deemed
16 sufficient cause for the revocation, suspension or
17 cancellation of the restricted driving permit. The Secretary
18 of State may, as a condition to the issuance of a restricted
19 driving permit, require the applicant to participate in a
20 designated driver remedial or rehabilitative program. Any
21 conviction for a violation of this subsection shall be
22 included as an offense for the purposes of determining
23 suspension action under any other provision of this Code,
24 provided however, that the penalties provided under this
25 subsection shall be imposed unless those penalties imposed
26 under other applicable provisions are greater.

1 (Source: P.A. 103-179, eff. 6-30-23.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".