

# SB0245



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0245

Introduced 1/31/2023, by Sen. Jil Tracy

### SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-109

Amends the Illinois Vehicle Code. Removes provisions requiring that applicants 75 years of age or older demonstrate the ability to exercise reasonable care and ordinary and reasonable control of the operation of a motor vehicle when applying for a driver's license.

LRB103 24858 HEP 51191 b

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 6-109 as follows:

6 (625 ILCS 5/6-109)

7 Sec. 6-109. Examination of applicants.

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

20 The Secretary of State shall require the testing of the  
21 eyesight of any driver's license or permit applicant who has  
22 not been previously licensed as a driver under the laws of this  
23 State and shall promulgate rules and regulations to provide

1 for the orderly administration of all the provisions of this  
2 Section.

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

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

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

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

1 the Secretary of State finds necessary to determine the  
2 applicant's fitness to operate a motor vehicle safely on the  
3 highways, ~~except the examination of an applicant 75 years of~~  
4 ~~age or older shall include an actual demonstration of the~~  
5 ~~applicant's ability to exercise ordinary and reasonable~~  
6 ~~control of the operation of a motor vehicle.~~ All portions of  
7 written and verbal examinations under this Section, excepting  
8 where the English language appears on facsimiles of road  
9 signs, may be given in the Spanish language and, at the  
10 discretion of the Secretary of State, in any other language as  
11 well as in English upon request of the examinee. Deaf persons  
12 who are otherwise qualified are not prohibited from being  
13 issued a license, other than a commercial driver's license,  
14 under this Code.

15 (c) Re-examination for those applicants who at the time of  
16 renewing their driver's license possess a driving record  
17 devoid of any convictions of traffic violations or evidence of  
18 committing an offense for which mandatory revocation would be  
19 required upon conviction pursuant to Section 6-205 at the time  
20 of renewal shall be in a manner prescribed by the Secretary in  
21 order to determine an applicant's ability to safely operate a  
22 motor vehicle, ~~except that every applicant for the renewal of~~  
23 ~~a driver's license who is 75 years of age or older must prove,~~  
24 ~~by an actual demonstration, the applicant's ability to~~  
25 ~~exercise reasonable care in the safe operation of a motor~~  
26 ~~vehicle.~~

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

8           (e) The Secretary of State may adopt rules regarding the  
9 use of foreign language interpreters during the application  
10 and examination process.

11           (Source: P.A. 100-770, eff. 1-1-19; 100-962, eff. 1-1-19;  
12 101-81, eff. 7-12-19; 101-174, eff. 1-1-20.)