

1 AN ACT concerning State government.

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

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

6 (15 ILCS 335/5) (from Ch. 124, par. 25)

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

8 Sec. 5. Applications.

9 (a) Any natural person who is a resident of the State of
10 Illinois may file an application for an identification card,
11 or for the renewal thereof, in a manner prescribed by the
12 Secretary. Each original application shall be completed by the
13 applicant in full and shall set forth the legal name,
14 residence address and zip code, social security number, birth
15 date, sex and a brief description of the applicant. The
16 applicant shall be photographed, unless the Secretary of State
17 has provided by rule for the issuance of identification cards
18 without photographs and the applicant is deemed eligible for
19 an identification card without a photograph under the terms
20 and conditions imposed by the Secretary of State, and he or she
21 shall also submit any other information as the Secretary may
22 deem necessary or such documentation as the Secretary may
23 require to determine the identity of the applicant. In

1 addition to the residence address, the Secretary may allow the
2 applicant to provide a mailing address. If the applicant is an
3 employee of the Department of Children and Family Services
4 with a job title of "Child Protection Specialist Trainee",
5 "Child Protection Specialist", "Child Protection Advanced
6 Specialist", "Child Welfare Specialist Trainee", "Child
7 Welfare Specialist", or "Child Welfare Advanced Specialist" or
8 a judicial officer as defined in Section 1-10 of the Judicial
9 Privacy Act or a peace officer, the applicant may elect to have
10 his or her office or work address in lieu of the applicant's
11 residence or mailing address. An applicant for an Illinois
12 Person with a Disability Identification Card must also submit
13 with each original or renewal application, on forms prescribed
14 by the Secretary, such documentation as the Secretary may
15 require, establishing that the applicant is a "person with a
16 disability" as defined in Section 4A of this Act, and setting
17 forth the applicant's type and class of disability as set
18 forth in Section 4A of this Act. For the purposes of this
19 subsection (a), "peace officer" means any person who by virtue
20 of his or her office or public employment is vested by law with
21 a duty to maintain public order or to make arrests for a
22 violation of any penal statute of this State, whether that
23 duty extends to all violations or is limited to specific
24 violations.

25 (a-5) Upon the first issuance of a request for proposals
26 for a digital driver's license and identification card

1 issuance and facial recognition system issued after January 1,
2 2020 (the effective date of Public Act 101-513), and upon
3 implementation of a new or revised system procured pursuant to
4 that request for proposals, the Secretary shall permit
5 applicants to choose between "male", "female", or "non-binary"
6 when designating the applicant's sex on the identification
7 card application form. The sex designated by the applicant
8 shall be displayed on the identification card issued to the
9 applicant.

10 (b) Beginning on or before July 1, 2015, for each original
11 or renewal identification card application under this Act, the
12 Secretary shall inquire as to whether the applicant is a
13 veteran for purposes of issuing an identification card with a
14 veteran designation under subsection (c-5) of Section 4 of
15 this Act. The acceptable forms of proof shall include, but are
16 not limited to, Department of Defense form DD-214, Department
17 of Defense form DD-256 for applicants who did not receive a
18 form DD-214 upon the completion of initial basic training,
19 Department of Defense form DD-2 (Retired), an identification
20 card issued under the federal Veterans Identification Card Act
21 of 2015, or a United States Department of Veterans Affairs
22 summary of benefits letter. If the document cannot be stamped,
23 the Illinois Department of Veterans' Affairs shall provide a
24 certificate to the veteran to provide to the Secretary of
25 State. The Illinois Department of Veterans' Affairs shall
26 advise the Secretary as to what other forms of proof of a

1 person's status as a veteran are acceptable.

2 For each applicant who is issued an identification card
3 with a veteran designation, the Secretary shall provide the
4 Department of Veterans' Affairs with the applicant's name,
5 address, date of birth, gender, and such other demographic
6 information as agreed to by the Secretary and the Department.
7 The Department may take steps necessary to confirm the
8 applicant is a veteran. If after due diligence, including
9 writing to the applicant at the address provided by the
10 Secretary, the Department is unable to verify the applicant's
11 veteran status, the Department shall inform the Secretary, who
12 shall notify the applicant that he or she must confirm status
13 as a veteran, or the identification card will be cancelled.

14 For purposes of this subsection (b):

15 "Armed forces" means any of the Armed Forces of the United
16 States, including a member of any reserve component or
17 National Guard unit.

18 "Veteran" means a person who has served in the armed
19 forces and was discharged or separated under honorable
20 conditions.

21 (c) All applicants for REAL ID compliant standard Illinois
22 Identification Cards and Illinois Person with a Disability
23 Identification Cards shall provide proof of lawful status in
24 the United States as defined in 6 CFR 37.3, as amended.
25 Applicants who are unable to provide the Secretary with proof
26 of lawful status are ineligible for REAL ID compliant

1 identification cards under this Act.

2 (Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19;
3 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)

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

5 Sec. 5. Applications.

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10 applicant in full and shall set forth the legal name,
11 residence address and zip code, social security number, if the
12 person has a social security number, birth date, sex and a
13 brief description of the applicant. The applicant shall be
14 photographed, unless the Secretary of State has provided by
15 rule for the issuance of identification cards without
16 photographs and the applicant is deemed eligible for an
17 identification card without a photograph under the terms and
18 conditions imposed by the Secretary of State, and he or she
19 shall also submit any other information as the Secretary may
20 deem necessary or such documentation as the Secretary may
21 require to determine the identity of the applicant. In
22 addition to the residence address, the Secretary may allow the
23 applicant to provide a mailing address. If the applicant is an
24 employee of the Department of Children and Family Services
25 with a job title of "Child Protection Specialist Trainee",

1 "Child Protection Specialist", "Child Protection Advanced
2 Specialist", "Child Welfare Specialist Trainee", "Child
3 Welfare Specialist" or "Child Welfare Advanced Specialist or a
4 judicial officer as defined in Section 1-10 of the Judicial
5 Privacy Act or a peace officer, the applicant may elect to have
6 his or her office or work address in lieu of the applicant's
7 residence or mailing address. An applicant for an Illinois
8 Person with a Disability Identification Card must also submit
9 with each original or renewal application, on forms prescribed
10 by the Secretary, such documentation as the Secretary may
11 require, establishing that the applicant is a "person with a
12 disability" as defined in Section 4A of this Act, and setting
13 forth the applicant's type and class of disability as set
14 forth in Section 4A of this Act. For the purposes of this
15 subsection (a), "peace officer" means any person who by virtue
16 of his or her office or public employment is vested by law with
17 a duty to maintain public order or to make arrests for a
18 violation of any penal statute of this State, whether that
19 duty extends to all violations or is limited to specific
20 violations.

21 (a-5) Upon the first issuance of a request for proposals
22 for a digital driver's license and identification card
23 issuance and facial recognition system issued after January 1,
24 2020 (the effective date of Public Act 101-513), and upon
25 implementation of a new or revised system procured pursuant to
26 that request for proposals, the Secretary shall permit

1 applicants to choose between "male", "female", or "non-binary"
2 when designating the applicant's sex on the identification
3 card application form. The sex designated by the applicant
4 shall be displayed on the identification card issued to the
5 applicant.

6 (b) Beginning on or before July 1, 2015, for each original
7 or renewal identification card application under this Act, the
8 Secretary shall inquire as to whether the applicant is a
9 veteran for purposes of issuing an identification card with a
10 veteran designation under subsection (c-5) of Section 4 of
11 this Act. The acceptable forms of proof shall include, but are
12 not limited to, Department of Defense form DD-214, Department
13 of Defense form DD-256 for applicants who did not receive a
14 form DD-214 upon the completion of initial basic training,
15 Department of Defense form DD-2 (Retired), an identification
16 card issued under the federal Veterans Identification Card Act
17 of 2015, or a United States Department of Veterans Affairs
18 summary of benefits letter. If the document cannot be stamped,
19 the Illinois Department of Veterans' Affairs shall provide a
20 certificate to the veteran to provide to the Secretary of
21 State. The Illinois Department of Veterans' Affairs shall
22 advise the Secretary as to what other forms of proof of a
23 person's status as a veteran are acceptable.

24 For each applicant who is issued an identification card
25 with a veteran designation, the Secretary shall provide the
26 Department of Veterans' Affairs with the applicant's name,

1 address, date of birth, gender, and such other demographic
2 information as agreed to by the Secretary and the Department.
3 The Department may take steps necessary to confirm the
4 applicant is a veteran. If after due diligence, including
5 writing to the applicant at the address provided by the
6 Secretary, the Department is unable to verify the applicant's
7 veteran status, the Department shall inform the Secretary, who
8 shall notify the applicant that he or she must confirm status
9 as a veteran, or the identification card will be cancelled.

10 For purposes of this subsection (b):

11 "Armed forces" means any of the Armed Forces of the United
12 States, including a member of any reserve component or
13 National Guard unit.

14 "Veteran" means a person who has served in the armed
15 forces and was discharged or separated under honorable
16 conditions.

17 (c) All applicants for REAL ID compliant standard Illinois
18 Identification Cards and Illinois Person with a Disability
19 Identification Cards shall provide proof of lawful status in
20 the United States as defined in 6 CFR 37.3, as amended.
21 Applicants who are unable to provide the Secretary with proof
22 of lawful status are ineligible for REAL ID compliant
23 identification cards under this Act.

24 (d) The Secretary of State may accept, as proof of date of
25 birth and written signature for any applicant for a standard
26 identification card who does not have a social security number

1 or documentation issued by the United States Department of
2 Homeland Security authorizing the applicant's presence in this
3 country, any passport validly issued to the applicant from the
4 applicant's country of citizenship or a consular
5 identification document validly issued to the applicant by a
6 consulate of that country as defined in Section 5 of the
7 Consular Identification Document Act. Any such documents must
8 be either unexpired or presented by an applicant within 2
9 years of its expiration date.

10 (Source: P.A. 102-558, eff. 8-20-21; 103-210, eff. 7-1-24.)

11 Section 10. The Illinois Vehicle Code is amended by
12 changing Section 6-110 as follows:

13 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

14 Sec. 6-110. Licenses issued to drivers.

15 (a) The Secretary of State shall issue to every qualifying
16 applicant a driver's license as applied for, which license
17 shall bear a distinguishing number assigned to the licensee,
18 the legal name, signature, zip code, date of birth, residence
19 address, and a brief description of the licensee.

20 Licenses issued shall also indicate the classification and
21 the restrictions under Section 6-104 of this Code. The
22 Secretary may adopt rules to establish informational
23 restrictions that can be placed on the driver's license
24 regarding specific conditions of the licensee.

1 A driver's license issued may, in the discretion of the
2 Secretary, include a suitable photograph of a type prescribed
3 by the Secretary.

4 (a-1) If the licensee is less than 18 years of age, unless
5 one of the exceptions in subsection (a-2) apply, the license
6 shall, as a matter of law, be invalid for the operation of any
7 motor vehicle during the following times:

8 (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

9 (B) Between 11:00 p.m. Saturday and 6:00 a.m. on
10 Sunday; and

11 (C) Between 10:00 p.m. on Sunday to Thursday,
12 inclusive, and 6:00 a.m. on the following day.

13 (a-2) The driver's license of a person under the age of 18
14 shall not be invalid as described in subsection (a-1) of this
15 Section if the licensee under the age of 18 was:

16 (1) accompanied by the licensee's parent or guardian
17 or other person in custody or control of the minor;

18 (2) on an errand at the direction of the minor's
19 parent or guardian, without any detour or stop;

20 (3) in a motor vehicle involved in interstate travel;

21 (4) going to or returning home from an employment
22 activity, without any detour or stop;

23 (5) involved in an emergency;

24 (6) going to or returning home from, without any
25 detour or stop, an official school, religious, or other
26 recreational activity supervised by adults and sponsored

1 by a government or governmental agency, a civic
2 organization, or another similar entity that takes
3 responsibility for the licensee, without any detour or
4 stop;

5 (7) exercising First Amendment rights protected by the
6 United States Constitution, such as the free exercise of
7 religion, freedom of speech, and the right of assembly; or

8 (8) married or had been married or is an emancipated
9 minor under the Emancipation of Minors Act.

10 (a-2.5) The driver's license of a person who is 17 years of
11 age and has been licensed for at least 12 months is not invalid
12 as described in subsection (a-1) of this Section while the
13 licensee is participating as an assigned driver in a Safe
14 Rides program that meets the following criteria:

15 (1) the program is sponsored by the Boy Scouts of
16 America or another national public service organization;
17 and

18 (2) the sponsoring organization carries liability
19 insurance covering the program.

20 (a-3) If a graduated driver's license holder over the age
21 of 18 committed an offense against traffic regulations
22 governing the movement of vehicles or any violation of Section
23 6-107 or Section 12-603.1 of this Code in the 6 months prior to
24 the graduated driver's license holder's 18th birthday, and was
25 subsequently convicted of the offense, the provisions of
26 subsection (a-1) shall continue to apply until such time as a

1 period of 6 consecutive months has elapsed without an
2 additional violation and subsequent conviction of an offense
3 against traffic regulations governing the movement of vehicles
4 or Section 6-107 or Section 12-603.1 of this Code.

5 (a-4) If an applicant for a driver's license or
6 instruction permit has a current identification card issued by
7 the Secretary of State, the Secretary may require the
8 applicant to utilize the same residence address and name on
9 the identification card, driver's license, and instruction
10 permit records maintained by the Secretary. The Secretary may
11 promulgate rules to implement this provision.

12 (a-5) If an applicant for a driver's license is an
13 employee of the Department of Children and Family Services
14 with a job title of "Child Protection Specialist Trainee",
15 "Child Protection Specialist", "Child Protection Advanced
16 Specialist", "Child Welfare Specialist Trainee", "Child
17 Welfare Specialist", or "Child Welfare Advanced Specialist" or
18 a judicial officer or a peace officer, the applicant may elect
19 to have his or her office or work address listed on the license
20 instead of the applicant's residence or mailing address. The
21 Secretary of State shall adopt rules to implement this
22 subsection (a-5). For the purposes of this subsection (a-5),
23 "peace officer" means any person who by virtue of his or her
24 office or public employment is vested by law with a duty to
25 maintain public order or to make arrests for a violation of any
26 penal statute of this State, whether that duty extends to all

1 violations or is limited to specific violations.

2 (b) Until the Secretary of State establishes a First
3 Person Consent organ and tissue donor registry under Section
4 6-117 of this Code, the Secretary of State shall provide a
5 format on the reverse of each driver's license issued which
6 the licensee may use to execute a document of gift conforming
7 to the provisions of the Illinois Anatomical Gift Act. The
8 format shall allow the licensee to indicate the gift intended,
9 whether specific organs, any organ, or the entire body, and
10 shall accommodate the signatures of the donor and 2 witnesses.
11 The Secretary shall also inform each applicant or licensee of
12 this format, describe the procedure for its execution, and may
13 offer the necessary witnesses; provided that in so doing, the
14 Secretary shall advise the applicant or licensee that he or
15 she is under no compulsion to execute a document of gift. A
16 brochure explaining this method of executing an anatomical
17 gift document shall be given to each applicant or licensee.
18 The brochure shall advise the applicant or licensee that he or
19 she is under no compulsion to execute a document of gift, and
20 that he or she may wish to consult with family, friends or
21 clergy before doing so. The Secretary of State may undertake
22 additional efforts, including education and awareness
23 activities, to promote organ and tissue donation.

24 (c) The Secretary of State shall designate on each
25 driver's license issued a space where the licensee may place a
26 sticker or decal of the uniform size as the Secretary may

1 specify, which sticker or decal may indicate in appropriate
2 language that the owner of the license carries an Emergency
3 Medical Information Card.

4 The sticker may be provided by any person, hospital,
5 school, medical group, or association interested in assisting
6 in implementing the Emergency Medical Information Card, but
7 shall meet the specifications as the Secretary may by rule or
8 regulation require.

9 (d) The Secretary of State shall designate on each
10 driver's license issued a space where the licensee may
11 indicate his blood type and RH factor.

12 (e) The Secretary of State shall provide that each
13 original or renewal driver's license issued to a licensee
14 under 21 years of age shall be of a distinct nature from those
15 driver's licenses issued to individuals 21 years of age and
16 older. The color designated for driver's licenses for
17 licensees under 21 years of age shall be at the discretion of
18 the Secretary of State.

19 (e-1) The Secretary shall provide that each driver's
20 license issued to a person under the age of 21 displays the
21 date upon which the person becomes 18 years of age and the date
22 upon which the person becomes 21 years of age.

23 (e-3) The General Assembly recognizes the need to identify
24 military veterans living in this State for the purpose of
25 ensuring that they receive all of the services and benefits to
26 which they are legally entitled, including healthcare,

1 education assistance, and job placement. To assist the State
2 in identifying these veterans and delivering these vital
3 services and benefits, the Secretary of State is authorized to
4 issue drivers' licenses with the word "veteran" appearing on
5 the face of the licenses. This authorization is predicated on
6 the unique status of veterans. The Secretary may not issue any
7 other driver's license which identifies an occupation, status,
8 affiliation, hobby, or other unique characteristics of the
9 license holder which is unrelated to the purpose of the
10 driver's license.

11 (e-5) Beginning on or before July 1, 2015, the Secretary
12 of State shall designate a space on each original or renewal
13 driver's license where, at the request of the applicant, the
14 word "veteran" shall be placed. The veteran designation shall
15 be available to a person identified as a veteran under
16 subsection (e) of Section 6-106 of this Code who was
17 discharged or separated under honorable conditions.

18 (f) The Secretary of State shall inform all Illinois
19 licensed commercial motor vehicle operators of the
20 requirements of the Uniform Commercial Driver License Act,
21 Article V of this Chapter, and shall make provisions to insure
22 that all drivers, seeking to obtain a commercial driver's
23 license, be afforded an opportunity prior to April 1, 1992, to
24 obtain the license. The Secretary is authorized to extend
25 driver's license expiration dates, and assign specific times,
26 dates and locations where these commercial driver's tests

1 shall be conducted. Any applicant, regardless of the current
2 expiration date of the applicant's driver's license, may be
3 subject to any assignment by the Secretary. Failure to comply
4 with the Secretary's assignment may result in the applicant's
5 forfeiture of an opportunity to receive a commercial driver's
6 license prior to April 1, 1992.

7 (g) The Secretary of State shall designate on a driver's
8 license issued, a space where the licensee may indicate that
9 he or she has drafted a living will in accordance with the
10 Illinois Living Will Act or a durable power of attorney for
11 health care in accordance with the Illinois Power of Attorney
12 Act.

13 (g-1) The Secretary of State, in his or her discretion,
14 may designate on each driver's license issued a space where
15 the licensee may place a sticker or decal, issued by the
16 Secretary of State, of uniform size as the Secretary may
17 specify, that shall indicate in appropriate language that the
18 owner of the license has renewed his or her driver's license.

19 (h) A person who acts in good faith in accordance with the
20 terms of this Section is not liable for damages in any civil
21 action or subject to prosecution in any criminal proceeding
22 for his or her act.

23 (Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13;
24 97-847, eff. 1-1-13; 97-1127, eff. 1-1-13; 98-323, eff.
25 1-1-14; 98-463, eff. 8-16-13.)

1 Section 95. No acceleration or delay. Where this Act makes
2 changes in a statute that is represented in this Act by text
3 that is not yet or no longer in effect (for example, a Section
4 represented by multiple versions), the use of that text does
5 not accelerate or delay the taking effect of (i) the changes
6 made by this Act or (ii) provisions derived from any other
7 Public Act.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.