



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3718

Introduced 2/9/2024, by Sen. Adriane Johnson

SYNOPSIS AS INTRODUCED:

215 ILCS 5/143.19.4 new
625 ILCS 5/6-201

Amends the Illinois Insurance Code. Provides that an insurance company that provides automobile liability insurance to any registered vehicle required to have liability coverage under the Illinois Vehicle Code must notify the Secretary within 30 days after a policy cancellation. Amends the Illinois Vehicle Code. Provides that, within 30 days after an insurance company notifies the Secretary of a liability insurance policy cancellation, the Secretary of State shall notify the owner of the motor vehicle that is the subject of the canceled liability insurance policy that the owner has 30 days after the issuance of the notice to provide verification of a liability insurance policy for the vehicle and that, if the owner fails to provide the verification with the 30-day period, the Secretary shall cancel the owner's license or permit until the owner provides the required verification.

LRB103 36551 MXP 66658 b

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Insurance Code is amended by
5 adding Section 143.19.4 as follows:

6 (215 ILCS 5/143.19.4 new)

7 Sec. 143.19.4. Cancellation of automobile liability
8 insurance policy; reporting. An insurance company that
9 provides automobile liability insurance to any registered
10 vehicle subject to Section 7-601 of the Illinois Vehicle Code
11 must notify the Secretary within 30 days after a policy
12 cancellation.

13 Section 10. The Illinois Vehicle Code is amended by
14 changing Section 6-201 as follows:

15 (625 ILCS 5/6-201)

16 Sec. 6-201. Authority to cancel licenses and permits.

17 (a) The Secretary of State is authorized to cancel any
18 license or permit upon determining that the holder thereof:

19 1. was not entitled to the issuance thereof hereunder;

20 or

21 2. failed to give the required or correct information

1 in his application; or

2 3. failed to pay any fees owed to the Secretary of
3 State under this Code for the license or permit; or

4 4. committed any fraud in the making of such
5 application; or

6 5. is ineligible therefor under the provisions of
7 Section 6-103 of this Act, as amended; or

8 6. has refused or neglected to submit an alcohol,
9 drug, and intoxicating compound evaluation or to submit to
10 examination or re-examination as required under this Act;
11 or

12 7. has been convicted of violating the Cannabis
13 Control Act, the Illinois Controlled Substances Act, the
14 Methamphetamine Control and Community Protection Act, or
15 the Use of Intoxicating Compounds Act while that
16 individual was in actual physical control of a motor
17 vehicle. For purposes of this Section, any person placed
18 on probation under Section 10 of the Cannabis Control Act,
19 Section 410 of the Illinois Controlled Substances Act, or
20 Section 70 of the Methamphetamine Control and Community
21 Protection Act shall not be considered convicted. Any
22 person found guilty of this offense, while in actual
23 physical control of a motor vehicle, shall have an entry
24 made in the court record by the judge that this offense did
25 occur while the person was in actual physical control of a
26 motor vehicle and order the clerk of the court to report

1 the violation to the Secretary of State as such. After the
2 cancellation, the Secretary of State shall not issue a new
3 license or permit for a period of one year after the date
4 of cancellation. However, upon application, the Secretary
5 of State may, if satisfied that the person applying will
6 not endanger the public safety, or welfare, issue a
7 restricted driving permit granting the privilege of
8 driving a motor vehicle between the petitioner's residence
9 and petitioner's place of employment or within the scope
10 of the petitioner's employment related duties, or to allow
11 transportation for the petitioner or a household member of
12 the petitioner's family for the receipt of necessary
13 medical care, or provide transportation for the petitioner
14 to and from alcohol or drug remedial or rehabilitative
15 activity recommended by a licensed service provider, or
16 for the petitioner to attend classes, as a student, in an
17 accredited educational institution. The petitioner must
18 demonstrate that no alternative means of transportation is
19 reasonably available; provided that the Secretary's
20 discretion shall be limited to cases where undue hardship,
21 as defined by the rules of the Secretary of State, would
22 result from a failure to issue such restricted driving
23 permit. In each case the Secretary of State may issue such
24 restricted driving permit for such period as he deems
25 appropriate, except that such permit shall expire no later
26 than 2 years from the date of issuance. A restricted

1 driving permit issued hereunder shall be subject to
2 cancellation, revocation and suspension by the Secretary
3 of State in like manner and for like cause as a driver's
4 license issued hereunder may be cancelled, revoked or
5 suspended; except that a conviction upon one or more
6 offenses against laws or ordinances regulating the
7 movement of traffic shall be deemed sufficient cause for
8 the revocation, suspension or cancellation of a restricted
9 driving permit. The Secretary of State may, as a condition
10 to the issuance of a restricted driving permit, require
11 the applicant to participate in a driver remedial or
12 rehabilitative program. In accordance with 49 C.F.R. 384,
13 the Secretary of State may not issue a restricted driving
14 permit for the operation of a commercial motor vehicle to
15 a person holding a CDL whose driving privileges have been
16 revoked, suspended, cancelled, or disqualified under this
17 Code; or

18 8. failed to submit a report as required by Section
19 6-116.5 of this Code; or

20 9. has been convicted of a sex offense as defined in
21 the Sex Offender Registration Act. The driver's license
22 shall remain cancelled until the driver registers as a sex
23 offender as required by the Sex Offender Registration Act,
24 proof of the registration is furnished to the Secretary of
25 State and the sex offender provides proof of current
26 address to the Secretary; or

1 10. is ineligible for a license or permit under
2 Section 6-107, 6-107.1, or 6-108 of this Code; or

3 11. refused or neglected to appear at a Driver
4 Services facility to have the license or permit corrected
5 and a new license or permit issued or to present
6 documentation for verification of identity; or

7 12. failed to submit a medical examiner's certificate
8 or medical variance as required by 49 C.F.R. 383.71 or
9 submitted a fraudulent medical examiner's certificate or
10 medical variance; or

11 13. has had his or her medical examiner's certificate,
12 medical variance, or both removed or rescinded by the
13 Federal Motor Carrier Safety Administration; or

14 14. failed to self-certify as to the type of driving
15 in which the CDL driver engages or expects to engage; or

16 15. has submitted acceptable documentation indicating
17 out-of-state residency to the Secretary of State to be
18 released from the requirement of showing proof of
19 financial responsibility in this State; or

20 16. was convicted of fraud relating to the testing or
21 issuance of a CDL or CLP, in which case only the CDL or CLP
22 shall be cancelled. After cancellation, the Secretary
23 shall not issue a CLP or CDL for a period of one year from
24 the date of cancellation; or

25 17. has a special restricted license under subsection
26 (g) of Section 6-113 of this Code and failed to submit the

1 required annual vision specialist report that the special
2 restricted license holder's vision has not changed; or

3 18. has a special restricted license under subsection
4 (g) of Section 6-113 of this Code and was convicted or
5 received court supervision for a violation of this Code
6 that occurred during nighttime hours or was involved in a
7 motor vehicle crash during nighttime hours in which the
8 restricted license holder was at fault; ~~or~~

9 19. has assisted an out-of-state resident in acquiring
10 an Illinois driver's license or identification card by
11 providing or allowing the out-of-state resident to use his
12 or her Illinois address of residence and is complicit in
13 distributing and forwarding the Illinois driver's license
14 or identification card to the out-of-state resident; or-

15 20. has failed to provide verification of a liability
16 insurance policy as required under Section 7-601 of this
17 Code after an insurance company has notified the Secretary
18 of State of a policy cancellation as required under
19 Section 143.19.4 of the Illinois Insurance Code and the
20 compliance period under this paragraph has expired. Within
21 30 days after an insurance company notifies the Secretary
22 of a liability insurance policy cancellation under Section
23 143.19.4 of the Illinois Insurance Code, the Secretary of
24 State shall notify the owner of the motor vehicle that is
25 the subject of the canceled liability insurance policy
26 that the owner has 30 days after the issuance of the notice

1 to provide verification of a liability insurance policy
2 for the vehicle as provided in Article VI of Chapter 7 of
3 this Code and that, if the owner fails to provide the
4 verification with the 30-day period, the Secretary shall
5 cancel the owner's license or permit until the owner
6 provides the required verification.

7 (b) Upon such cancellation the licensee or permittee must
8 surrender the license or permit so cancelled to the Secretary
9 of State.

10 (c) Except as provided in Sections 6-206.1 and 7-702.1,
11 the Secretary of State shall have exclusive authority to
12 grant, issue, deny, cancel, suspend and revoke driving
13 privileges, drivers' licenses and restricted driving permits.

14 (d) The Secretary of State may adopt rules to implement
15 this Section.

16 (Source: P.A. 101-623, eff. 7-1-20; 102-982, eff. 7-1-23.)