

1 AN ACT concerning vehicles.

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

4 Section 5. The State Finance Act is amended by adding
5 Section 5.620 as follows:

6 (30 ILCS 105/5.620 new)

7 Sec. 5.620. The Secretary of State Immigrant License Fund.

8 Section 10. The Illinois Vehicle Code is amended by
9 changing Sections 2-119, 6-106, and 6-118 and adding Sections
10 6-107.4 and 6-107.5 as follows:

11 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

12 Sec. 2-119. Disposition of fees and taxes.

13 (a) All moneys received from Salvage Certificates shall be
14 deposited in the Common School Fund in the State Treasury.

15 (b) Beginning January 1, 1990 and concluding December 31,
16 1994, of the money collected for each certificate of title,
17 duplicate certificate of title and corrected certificate of
18 title, \$0.50 shall be deposited into the Used Tire Management
19 Fund. Beginning January 1, 1990 and concluding December 31,
20 1994, of the money collected for each certificate of title,
21 duplicate certificate of title and corrected certificate of
22 title, \$1.50 shall be deposited in the Park and Conservation
23 Fund.

24 Beginning January 1, 1995, of the money collected for each
25 certificate of title, duplicate certificate of title and
26 corrected certificate of title, \$2 shall be deposited in the
27 Park and Conservation Fund. The moneys deposited in the Park
28 and Conservation Fund pursuant to this Section shall be used
29 for the acquisition and development of bike paths as provided
30 for in Section 805-420 of the Department of Natural Resources

1 (Conservation) Law (20 ILCS 805/805-420).

2 Beginning January 1, 2000, of the moneys collected for each
3 certificate of title, duplicate certificate of title, and
4 corrected certificate of title, \$48 shall be deposited into the
5 Road Fund and \$4 shall be deposited into the Motor Vehicle
6 License Plate Fund, except that if the balance in the Motor
7 Vehicle License Plate Fund exceeds \$40,000,000 on the last day
8 of a calendar month, then during the next calendar month the \$4
9 shall instead be deposited into the Road Fund.

10 Except as otherwise provided in this Code, all remaining
11 moneys collected for certificates of title, and all moneys
12 collected for filing of security interests, shall be placed in
13 the General Revenue Fund in the State Treasury.

14 (c) All moneys collected for that portion of a driver's
15 license fee designated for driver education under Section 6-118
16 shall be placed in the Driver Education Fund in the State
17 Treasury.

18 (d) Beginning January 1, 1999, of the monies collected as a
19 registration fee for each motorcycle, motor driven cycle and
20 motorized pedalcycle, 27% of each annual registration fee for
21 such vehicle and 27% of each semiannual registration fee for
22 such vehicle is deposited in the Cycle Rider Safety Training
23 Fund.

24 (e) Of the monies received by the Secretary of State as
25 registration fees or taxes or as payment of any other fee, as
26 provided in this Act, except fees received by the Secretary
27 under paragraph (7) of subsection (b) of Section 5-101 and
28 Section 5-109 of this Code, 37% shall be deposited into the
29 State Construction Fund.

30 (f) Of the total money collected for a CDL instruction
31 permit or original or renewal issuance of a commercial driver's
32 license (CDL) pursuant to the Uniform Commercial Driver's
33 License Act (UCDLA): (i) \$6 of the total fee for an original or
34 renewal CDL, and \$6 of the total CDL instruction permit fee
35 when such permit is issued to any person holding a valid
36 Illinois driver's license, shall be paid into the

1 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License
2 Information System/American Association of Motor Vehicle
3 Administrators network Trust Fund) and shall be used for the
4 purposes provided in Section 6z-23 of the State Finance Act and
5 (ii) \$20 of the total fee for an original or renewal CDL or
6 commercial driver instruction permit shall be paid into the
7 Motor Carrier Safety Inspection Fund, which is hereby created
8 as a special fund in the State Treasury, to be used by the
9 Department of State Police, subject to appropriation, to hire
10 additional officers to conduct motor carrier safety
11 inspections pursuant to Chapter 18b of this Code.

12 (g) All remaining moneys received by the Secretary of State
13 as registration fees or taxes or as payment of any other fee,
14 as provided in this Act, except fees received by the Secretary
15 under paragraph (7) (A) of subsection (b) of Section 5-101 and
16 Section 5-109 of this Code, shall be deposited in the Road Fund
17 in the State Treasury. Moneys in the Road Fund shall be used
18 for the purposes provided in Section 8.3 of the State Finance
19 Act.

20 (h) (Blank).

21 (i) (Blank).

22 (j) (Blank).

23 (k) There is created in the State Treasury a special fund
24 to be known as the Secretary of State Special License Plate
25 Fund. Money deposited into the Fund shall, subject to
26 appropriation, be used by the Office of the Secretary of State
27 (i) to help defray plate manufacturing and plate processing
28 costs for the issuance and, when applicable, renewal of any new
29 or existing registration plates authorized under this Code and
30 (ii) for grants made by the Secretary of State to benefit
31 Illinois Veterans Home libraries.

32 On or before October 1, 1995, the Secretary of State shall
33 direct the State Comptroller and State Treasurer to transfer
34 any unexpended balance in the Special Environmental License
35 Plate Fund, the Special Korean War Veteran License Plate Fund,
36 and the Retired Congressional License Plate Fund to the

1 Secretary of State Special License Plate Fund.

2 (l) The Motor Vehicle Review Board Fund is created as a
3 special fund in the State Treasury. Moneys deposited into the
4 Fund under paragraph (7) of subsection (b) of Section 5-101 and
5 Section 5-109 shall, subject to appropriation, be used by the
6 Office of the Secretary of State to administer the Motor
7 Vehicle Review Board, including without limitation payment of
8 compensation and all necessary expenses incurred in
9 administering the Motor Vehicle Review Board under the Motor
10 Vehicle Franchise Act.

11 (m) Effective July 1, 1996, there is created in the State
12 Treasury a special fund to be known as the Family
13 Responsibility Fund. Moneys deposited into the Fund shall,
14 subject to appropriation, be used by the Office of the
15 Secretary of State for the purpose of enforcing the Family
16 Financial Responsibility Law.

17 (n) The Illinois Fire Fighters' Memorial Fund is created as
18 a special fund in the State Treasury. Moneys deposited into the
19 Fund shall, subject to appropriation, be used by the Office of
20 the State Fire Marshal for construction of the Illinois Fire
21 Fighters' Memorial to be located at the State Capitol grounds
22 in Springfield, Illinois. Upon the completion of the Memorial,
23 moneys in the Fund shall be used in accordance with Section
24 3-634.

25 (o) Of the money collected for each certificate of title
26 for all-terrain vehicles and off-highway motorcycles, \$17
27 shall be deposited into the Off-Highway Vehicle Trails Fund.

28 (p) For audits conducted on or after July 1, 2003 pursuant
29 to Section 2-124(d) of this Code, 50% of the money collected as
30 audit fees shall be deposited into the General Revenue Fund.

31 (q) The Secretary of State Immigrant License Fund is
32 created as a special fund in the State Treasury. Moneys
33 deposited into the fund shall, subject to appropriation, be
34 used by the Secretary of State to pay for the costs associated
35 with issuing a driver's license to an immigrant ineligible to
36 receive a social security number.

1 (Source: P.A. 92-16, eff. 6-28-01; 93-32, eff. 7-1-03.)

2 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

3 Sec. 6-106. Application for license or instruction permit.

4 (a) Every application for any permit or license authorized
5 to be issued under this Act shall be made upon a form furnished
6 by the Secretary of State. Every application shall be
7 accompanied by the proper fee and payment of such fee shall
8 entitle the applicant to not more than 3 attempts to pass the
9 examination within a period of 1 year after the date of
10 application.

11 (b) Every application shall state the name, social security
12 number, zip code, date of birth, sex, and residence address of
13 the applicant; briefly describe the applicant; state whether
14 the applicant has theretofore been licensed as a driver, and,
15 if so, when and by what state or country, and whether any such
16 license has ever been cancelled, suspended, revoked or refused,
17 and, if so, the date and reason for such cancellation,
18 suspension, revocation or refusal; shall include an
19 affirmation by the applicant that all information set forth is
20 true and correct; and shall bear the applicant's signature. The
21 application form may also require the statement of such
22 additional relevant information as the Secretary of State shall
23 deem necessary to determine the applicant's competency and
24 eligibility.

25 (b-1) The Secretary of State may in his discretion
26 substitute a federal tax number in lieu of a social security
27 number, or he may instead assign an additional distinctive
28 number in lieu thereof, where an applicant is prohibited by
29 bona fide religious convictions from applying or is exempt from
30 applying for a social security number. The Secretary of State
31 shall, however, determine which religious orders or sects have
32 such bona fide religious convictions.

33 (b-2) The Secretary of State shall issue a driver's license
34 to an applicant who is an immigrant and ineligible for a social
35 security number if the applicant has (i) provided the Secretary

1 with an individual taxpayer identification number in lieu of a
2 social security number; (ii) filed with the Secretary, at the
3 time of application, an affidavit stating that the applicant is
4 an immigrant and not eligible for a social security number and
5 that the applicant will file an application to become a
6 permanent resident of the United States at the earliest
7 opportunity the applicant is eligible to do so; (iii) provided
8 a current foreign passport and a foreign birth certificate;
9 (iv) filed with the Secretary of State proof provided to the
10 applicant by the Illinois State Police that a set of the
11 applicant's fingerprints have been collected (costs associated
12 with this fingerprinting shall be paid by the applicant at the
13 time of collection); and (v) surrendered all illegally obtained
14 forms of driver's licenses or identification cards issued to
15 the applicant by the Secretary. The Secretary of State shall
16 provide to the Department of Revenue all information, including
17 the individual taxpayer identification number, captured on the
18 application. If the Department of Revenue determines that the
19 licensee is not in compliance with any applicable tax laws
20 administered by the Department of Revenue, the Department of
21 Revenue shall request that the Secretary of State suspend or
22 revoke the license. An applicant denied a driver's license
23 under this subsection (b-2) may seek review under the
24 Administrative Review Law. This amendatory Act of the 93rd
25 General Assembly does not affect the issuance of any commercial
26 driver's license or school bus driver's permit under the
27 Illinois Vehicle Code or any identification card under the
28 Illinois Identification Card Act. A driver's license issued
29 under this subsection (b-2) may not be used to obtain a Firearm
30 Owner's Identification Card and may not be used to obtain a
31 driver's license in another state. A driver licensed under this
32 subsection (b-2) shall, within 30 days of receiving a license,
33 provide to the Secretary of State proof of insurance and is
34 subject to the mandatory insurance requirements of this Code.

35 (b-3) The Secretary may not issue a driver's license under
36 subsection (b-2) of this Section unless the applicant has

1 provided the Secretary with a digitally reproduced photograph
2 of the applicant and the digitally reproduced fingerprints of
3 the applicant. These digitally reproduced photographs and
4 fingerprints and all other information submitted by the
5 applicant are private and confidential and shall be used only
6 to determine whether the applicant is eligible for a driver's
7 license or has an outstanding felony arrest warrant for the
8 offenses listed in Chapter 720 of the Illinois Compiled
9 Statutes (regarding criminal offenses).

10 (b-4) The Secretary of State may, in his discretion, by
11 rule or regulation, provide that an application for a driver's
12 license or permit may include a suitable photograph of the
13 applicant in the form prescribed by the Secretary, and he may
14 further provide that each driver's license shall include a
15 photograph of the driver. The Secretary of State may utilize a
16 photograph process or system most suitable to deter alteration
17 or improper reproduction of a driver's license and to prevent
18 substitution of another photo thereon.

19 (c) The application form shall include a notice to the
20 applicant of the registration obligations of sex offenders
21 under the Sex Offender Registration Act. The notice shall be
22 provided in a form and manner prescribed by the Secretary of
23 State. For purposes of this subsection (c), "sex offender" has
24 the meaning ascribed to it in Section 2 of the Sex Offender
25 Registration Act.

26 (d) Any male United States citizen or immigrant who applies
27 for any permit or license authorized to be issued under this
28 Act or for a renewal of any permit or license, and who is at
29 least 18 years of age but less than 26 years of age, must be
30 registered in compliance with the requirements of the federal
31 Military Selective Service Act. The Secretary of State must
32 forward in an electronic format the necessary personal
33 information regarding the applicants identified in this
34 subsection (d) to the Selective Service System. The applicant's
35 signature on the application serves as an indication that the
36 applicant either has already registered with the Selective

1 Service System or that he is authorizing the Secretary to
 2 forward to the Selective Service System the necessary
 3 information for registration. The Secretary must notify the
 4 applicant at the time of application that his signature
 5 constitutes consent to registration with the Selective Service
 6 System, if he is not already registered.

7 (Source: P.A. 92-117, eff. 1-1-02.)

8 (625 ILCS 5/6-107.4 new)

9 Sec. 6-107.4. Visual difference; driver's licenses; social
 10 security numbers. The Secretary of State shall provide that
 11 there shall be a clear and distinct visual difference between
 12 driver's licenses issued to individuals without social
 13 security numbers and driver's licenses issued to individuals
 14 with social security numbers.

15 (625 ILCS 5/6-107.5 new)

16 Sec. 6-107.5. Ineligible applicants for Firearms Owner's
 17 Identification Cards. To ensure compliance with the Firearm
 18 Owners Identification Card Act, the Secretary of State shall,
 19 in cooperation with the Illinois State Police, make rules to
 20 establish administrative procedures for determining and
 21 identifying ineligible Firearm Owner's Identification Card
 22 applicants.

23 (625 ILCS 5/6-118) (from Ch. 95 1/2, par. 6-118)

24 Sec. 6-118. Fees.

25 (a) The fee for licenses and permits under this Article is
 26 as follows:

27	Original driver's license	\$10
28	Original or renewal driver's license	
29	issued to 18, 19 and 20 year olds	5
30	All driver's licenses for persons	
31	age 69 through age 80	5
32	All driver's licenses for persons	
33	age 81 through age 86	2

1 All driver's licenses for persons
2 age 87 or older 0
3 Renewal driver's license (except for
4 applicants ages 18, 19 and 20 or
5 age 69 and older)10
6 Original instruction permit issued to
7 persons (except those age 69 and older)
8 who do not hold or have not previously
9 held an Illinois instruction permit or
10 driver's license20
11 Instruction permit issued to any person
12 holding an Illinois driver's license
13 who wishes a change in classifications,
14 other than at the time of renewal 5
15 Any instruction permit issued to a person
16 age 69 and older 5
17 Instruction permit issued to any person,
18 under age 69, not currently holding a
19 valid Illinois driver's license or
20 instruction permit but who has
21 previously been issued either document
22 in Illinois10
23 Restricted driving permit 8
24 Duplicate or corrected driver's license
25 or permit 5
26 Duplicate or corrected restricted
27 driving permit 5
28 Original or renewal M or L endorsement..... 5
29 An original driver's license issued to a person who has not
30 provided the Secretary with a social security number because
31 the person is an immigrant and is not eligible to receive a
32 social security number shall be subject to an additional fee of
33 \$15 to cover the additional costs associated with issuing those
34 driver's licenses.

35 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

36 The fees for commercial driver licenses and permits

1 under Article V shall be as follows:

2 Commercial driver's license:

3 \$6 for the CDLIS/AAMVAnet Fund
 4 (Commercial Driver's License Information
 5 System/American Association of Motor Vehicle
 6 Administrators network Trust Fund);
 7 \$20 for the Motor Carrier Safety Inspection Fund;
 8 \$10 for the driver's license;
 9 and \$24 for the CDL: \$60

10 Renewal commercial driver's license:

11 \$6 for the CDLIS/AAMVAnet Trust Fund;
 12 \$20 for the Motor Carrier Safety Inspection Fund;
 13 \$10 for the driver's license; and
 14 \$24 for the CDL: \$60

15 Commercial driver instruction permit

16 issued to any person holding a valid
 17 Illinois driver's license for the
 18 purpose of changing to a
 19 CDL classification: \$6 for the
 20 CDLIS/AAMVAnet Trust Fund;
 21 \$20 for the Motor Carrier
 22 Safety Inspection Fund; and
 23 \$24 for the CDL classification \$50

24 Commercial driver instruction permit

25 issued to any person holding a valid
 26 Illinois CDL for the purpose of
 27 making a change in a classification,
 28 endorsement or restriction\$5
 29 CDL duplicate or corrected license\$5

30 In order to ensure the proper implementation of the Uniform
 31 Commercial Driver License Act, Article V of this Chapter, the
 32 Secretary of State is empowered to pro-rate the \$24 fee for the
 33 commercial driver's license proportionate to the expiration
 34 date of the applicant's Illinois driver's license.

35 The fee for any duplicate license or permit shall be waived
 36 for any person age 60 or older who presents the Secretary of

1 State's office with a police report showing that his license or
2 permit was stolen.

3 No additional fee shall be charged for a driver's license,
4 or for a commercial driver's license, when issued to the holder
5 of an instruction permit for the same classification or type of
6 license who becomes eligible for such license.

7 (b) Any person whose license or privilege to operate a
8 motor vehicle in this State has been suspended or revoked under
9 any provision of Chapter 6, Chapter 11, or Section 7-205,
10 7-303, or 7-702 of the Family Financial Responsibility Law of
11 this Code, shall in addition to any other fees required by this
12 Code, pay a reinstatement fee as follows:

13	Summary suspension under Section 11-501.1 ...	\$250	Other
14	suspension		\$70
15	Revocation		\$500

16 However, any person whose license or privilege to operate a
17 motor vehicle in this State has been suspended or revoked for a
18 second or subsequent time for a violation of Section 11-501 or
19 11-501.1 of this Code or a similar provision of a local
20 ordinance or a similar out-of-state offense or Section 9-3 of
21 the Criminal Code of 1961 and each suspension or revocation was
22 for a violation of Section 11-501 or 11-501.1 of this Code or a
23 similar provision of a local ordinance or a similar
24 out-of-state offense or Section 9-3 of the Criminal Code of
25 1961 shall pay, in addition to any other fees required by this
26 Code, a reinstatement fee as follows:

27	Summary suspension under Section 11-501.1	\$500
28	Revocation	\$500

29 (c) All fees collected under the provisions of this Chapter
30 6 shall be paid into the Road Fund in the State Treasury except
31 as follows:

32 1. The following amounts shall be paid into the Driver
33 Education Fund:

34 (A) \$16 of the \$20 fee for an original driver's
35 instruction permit;

36 (B) \$5 of the ~~\$20~~ fee for an original driver's

1 license;

2 (C) \$5 of the ~~\$20~~ fee for a 4 year renewal driver's
3 license; and

4 (D) \$4 of the \$8 fee for a restricted driving
5 permit.

6 2. \$30 of the \$250 fee for reinstatement of a license
7 summarily suspended under Section 11-501.1 shall be
8 deposited into the Drunk and Drugged Driving Prevention
9 Fund. However, for a person whose license or privilege to
10 operate a motor vehicle in this State has been suspended or
11 revoked for a second or subsequent time for a violation of
12 Section 11-501 or 11-501.1 of this Code or Section 9-3 of
13 the Criminal Code of 1961, \$190 of the \$500 fee for
14 reinstatement of a license summarily suspended under
15 Section 11-501.1, and \$190 of the \$500 fee for
16 reinstatement of a revoked license shall be deposited into
17 the Drunk and Drugged Driving Prevention Fund.

18 3. \$6 of such original or renewal fee for a commercial
19 driver's license and \$6 of the commercial driver
20 instruction permit fee when such permit is issued to any
21 person holding a valid Illinois driver's license, shall be
22 paid into the CDLIS/AAMVAnet Trust Fund.

23 4. \$30 of the \$70 fee for reinstatement of a license
24 suspended under the Family Financial Responsibility Law
25 shall be paid into the Family Responsibility Fund.

26 5. The \$5 fee for each original or renewal M or L
27 endorsement shall be deposited into the Cycle Rider Safety
28 Training Fund.

29 6. \$20 of any original or renewal fee for a commercial
30 driver's license or commercial driver instruction permit
31 shall be paid into the Motor Carrier Safety Inspection
32 Fund.

33 7. The following amounts shall be paid into the General
34 Revenue Fund:

35 (A) \$190 of the \$250 reinstatement fee for a
36 summary suspension under Section 11-501.1;

1 (B) \$40 of the \$70 reinstatement fee for any other
2 suspension provided in subsection (b) of this Section;
3 and

4 (C) \$440 of the \$500 reinstatement fee for a first
5 offense revocation and \$310 of the \$500 reinstatement
6 fee for a second or subsequent revocation.

7 8. The entire amount of the additional fee of \$15 for
8 an original driver's license issued to an immigrant
9 ineligible to receive a social security number shall be
10 deposited into the Secretary of State Immigrant License
11 Fund.

12 (Source: P.A. 92-458, eff. 8-22-01; 93-32, eff. 1-1-04.)

13 Section 97. Severability. The provisions of this Act are
14 severable under Section 1.31 of the Statute on Statutes.

15 Section 99. Effective date. This Act takes effect July 1,
16 2005.