



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/06/04, by Michael J. Madigan

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-103

from Ch. 95 1/2, par. 6-103

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning persons that are not to be granted a license or permit.

LRB093 17454 DRH 43120 b

1 AN ACT regarding 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 changing
5 Section 6-103 as follows:

6 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

7 Sec. 6-103. What persons shall not be licensed as drivers
8 or granted permits. The Secretary of State shall not issue,
9 renew, or allow the retention of any driver's license nor issue
10 any permit under this Code:

11 1. To any person, as a driver, who is under the age of
12 18 years except as provided in Section 6-107, and except
13 that an instruction permit may be issued under paragraphs
14 (a) and (b) of Section 6-105 to a child who is not less
15 than 15 years of age if the child is enrolled in an
16 approved driver education course as defined in Section
17 1-103 of this Code and requires an instruction permit to
18 participate in that driver education course ~~therein~~,
19 except that an instruction permit may be issued under the
20 provisions of Section 6-107.1 to a child who is 17 years
21 and 9 months of age without the child having enrolled in an
22 approved driver education course and except that an
23 instruction permit may be issued to a child who is at least
24 15 years and 6 months of age, is enrolled in school, meets
25 the educational requirements of the Driver Education Act,
26 and has passed examinations the Secretary of State in his
27 or her discretion may prescribe;

28 2. To any person who is under the age of 18 as an
29 operator of a motorcycle other than a motor driven cycle
30 unless the person has, in addition to meeting the
31 provisions of Section 6-107 of this Code, successfully
32 completed a motorcycle training course approved by the

1 Illinois Department of Transportation and successfully
2 completes the required Secretary of State's motorcycle
3 driver's examination;

4 3. To any person, as a driver, whose driver's license
5 or permit has been suspended, during the suspension, nor to
6 any person whose driver's license or permit has been
7 revoked, except as provided in Sections 6-205, 6-206, and
8 6-208;

9 4. To any person, as a driver, who is a user of alcohol
10 or any other drug to a degree that renders the person
11 incapable of safely driving a motor vehicle;

12 5. To any person, as a driver, who has previously been
13 adjudged to be afflicted with or suffering from any mental
14 or physical disability or disease and who has not at the
15 time of application been restored to competency by the
16 methods provided by law;

17 6. To any person, as a driver, who is required by the
18 Secretary of State to submit an alcohol and drug evaluation
19 or take an examination provided for in this Code unless the
20 person has successfully passed the examination and
21 submitted any required evaluation;

22 7. To any person who is required under the provisions
23 of the laws of this State to deposit security or proof of
24 financial responsibility and who has not deposited the
25 security or proof;

26 8. To any person when the Secretary of State has good
27 cause to believe that the person by reason of physical or
28 mental disability would not be able to safely operate a
29 motor vehicle upon the highways, unless the person shall
30 furnish to the Secretary of State a verified written
31 statement, acceptable to the Secretary of State, from a
32 competent medical specialist to the effect that the
33 operation of a motor vehicle by the person would not be
34 inimical to the public safety;

35 9. To any person, as a driver, who is 69 years of age
36 or older, unless the person has successfully complied with

1 the provisions of Section 6-109;

2 10. To any person convicted, within 12 months of
3 application for a license, of any of the sexual offenses
4 enumerated in paragraph 2 of subsection (b) of Section
5 6-205;

6 11. To any person who is under the age of 21 years with
7 a classification prohibited in paragraph (b) of Section
8 6-104 and to any person who is under the age of 18 years
9 with a classification prohibited in paragraph (c) of
10 Section 6-104;

11 12. To any person who has been either convicted of or
12 adjudicated under the Juvenile Court Act of 1987 based upon
13 a violation of the Cannabis Control Act or the Illinois
14 Controlled Substances Act while that person was in actual
15 physical control of a motor vehicle. For purposes of this
16 Section, any person placed on probation under Section 10 of
17 the Cannabis Control Act or Section 410 of the Illinois
18 Controlled Substances Act shall not be considered
19 convicted. Any person found guilty of this offense, while
20 in actual physical control of a motor vehicle, shall have
21 an entry made in the court record by the judge that this
22 offense did occur while the person was in actual physical
23 control of a motor vehicle and order the clerk of the court
24 to report the violation to the Secretary of State as such.
25 The Secretary of State shall not issue a new license or
26 permit for a period of one year;

27 13. To any person who is under the age of 18 years and
28 who has committed the offense of operating a motor vehicle
29 without a valid license or permit in violation of Section
30 6-101;

31 14. To any person who is 90 days or more delinquent in
32 court ordered child support payments or has been
33 adjudicated in arrears in an amount equal to 90 days'
34 obligation or more and who has been found in contempt of
35 court for failure to pay the support, subject to the
36 requirements and procedures of Article VII of Chapter 7 of

1 the Illinois Vehicle Code; or

2 15. To any person released from a term of imprisonment
3 for violating Section 9-3 of the Criminal Code of 1961
4 relating to reckless homicide within 24 months of release
5 from a term of imprisonment.

6 The Secretary of State shall retain all conviction
7 information, if the information is required to be held
8 confidential under the Juvenile Court Act of 1987.

9 (Source: P.A. 92-343, eff. 1-1-02; 93-174, eff. 1-1-04.)