

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 changing  
5 Section 6-107 as follows:

6 (625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)

7 Sec. 6-107. Graduated license.

8 (a) The purpose of the Graduated Licensing Program is to  
9 develop safe and mature driving habits in young, inexperienced  
10 drivers and reduce or prevent motor vehicle accidents,  
11 fatalities, and injuries by:

12 (1) providing for an increase in the time of practice  
13 period before granting permission to obtain a driver's  
14 license;

15 (2) strengthening driver licensing and testing  
16 standards for persons under the age of 21 years;

17 (3) sanctioning driving privileges of drivers under  
18 age 21 who have committed serious traffic violations or  
19 other specified offenses; and

20 (4) setting stricter standards to promote the public's  
21 health and safety.

22 (b) The application of any person under the age of 18  
23 years, and not legally emancipated by marriage, for a drivers  
24 license or permit to operate a motor vehicle issued under the  
25 laws of this State, shall be accompanied by the written consent  
26 of either parent of the applicant; otherwise by the guardian  
27 having custody of the applicant, or in the event there is no  
28 parent or guardian, then by another responsible adult. The  
29 written consent must accompany any application for a driver's  
30 license under this subsection (b), regardless of whether or not  
31 the required written consent also accompanied the person's  
32 previous application for an instruction permit.

1 No graduated driver's license shall be issued to any  
2 applicant under 18 years of age, unless the applicant is at  
3 least 16 years of age and has:

4 (1) Held a valid instruction permit for a minimum of 3  
5 months.

6 (2) Passed an approved driver education course and  
7 submits proof of having passed the course as may be  
8 required.

9 (3) certification by the parent, legal guardian, or  
10 responsible adult that the applicant has had a minimum of  
11 50 ~~25~~ hours of behind-the-wheel practice time, at least 10  
12 hours of which have been at night, and is sufficiently  
13 prepared and able to safely operate a motor vehicle.

14 (c) No graduated driver's license or permit shall be issued  
15 to any applicant under 18 years of age who has committed the  
16 offense of operating a motor vehicle without a valid license or  
17 permit in violation of Section 6-101 of this Code and no  
18 graduated driver's license or permit shall be issued to any  
19 applicant under 18 years of age who has committed an offense  
20 that would otherwise result in a mandatory revocation of a  
21 license or permit as provided in Section 6-205 of this Code or  
22 who has been either convicted of or adjudicated a delinquent  
23 based upon a violation of the Cannabis Control Act, the  
24 Illinois Controlled Substances Act, or the Methamphetamine  
25 Control and Community Protection Act while that individual was  
26 in actual physical control of a motor vehicle. For purposes of  
27 this Section, any person placed on probation under Section 10  
28 of the Cannabis Control Act, Section 410 of the Illinois  
29 Controlled Substances Act, or Section 70 of the Methamphetamine  
30 Control and Community Protection Act shall not be considered  
31 convicted. Any person found guilty of this offense, while in  
32 actual physical control of a motor vehicle, shall have an entry  
33 made in the court record by the judge that this offense did  
34 occur while the person was in actual physical control of a  
35 motor vehicle and order the clerk of the court to report the  
36 violation to the Secretary of State as such.

1 (d) No graduated driver's license shall be issued for 6  
2 months to any applicant under the age of 18 years who has been  
3 convicted of any offense defined as a serious traffic violation  
4 in this Code or a similar provision of a local ordinance.

5 (e) No graduated driver's license holder under the age of  
6 18 years shall operate any motor vehicle, except a motor driven  
7 cycle or motorcycle, with more than one passenger in the front  
8 seat of the motor vehicle and no more passengers in the back  
9 seats than the number of available seat safety belts as set  
10 forth in Section 12-603 of this Code.

11 (f) No graduated driver's license holder under the age of  
12 18 shall operate a motor vehicle unless each driver and  
13 passenger under the age of 19 is wearing a properly adjusted  
14 and fastened seat safety belt and each child under the age of 8  
15 is protected as required under the Child Passenger Protection  
16 Act.

17 (g) If a graduated driver's license holder is under the age  
18 of 18 when he or she receives the license, for the first 6  
19 months he or she holds the license or until he or she reaches  
20 the age of 18, whichever occurs sooner, the graduated license  
21 holder may not operate a motor vehicle with more than one  
22 passenger in the vehicle who is under the age of 20, unless any  
23 additional passenger or passengers are siblings,  
24 step-siblings, children, or stepchildren of the driver.

25 (Source: P.A. 93-101, eff. 1-1-04; 93-788, eff. 1-1-05; 94-239,  
26 eff. 1-1-06; 94-241, eff. 1-1-06; 94-556, eff. 9-11-05; revised  
27 8-19-05.)

28 Section 99. Effective date. This Act takes effect upon  
29 becoming law.