

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 Sections 2-118, 6-201, 6-205, 6-206, and 11-501.8 as follows:

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

8 (a) Upon the suspension, revocation or denial of the
9 issuance of a license, permit, registration or certificate of
10 title under this Code of any person the Secretary of State
11 shall immediately notify such person in writing and upon his
12 written request shall, within 20 days after receipt thereof,
13 set a date for a hearing to commence within 90 calendar days
14 from the date of the written request for all requests related
15 to a suspension, revocation, or the denial of the issuance of a
16 license, permit, registration, or certificate of title
17 occurring after July 1, 2002, in the County of Sangamon, the
18 County of Jefferson, or the County of Cook, as such person may
19 specify, unless both parties agree that such hearing may be
20 held in some other county. The Secretary may require the
21 payment of a fee of not more than \$50 for the filing of any
22 petition, motion, or request for hearing conducted pursuant to
23 this Section. These fees must be deposited into the Secretary

1 of State DUI Administration Fund, a special fund created in the
2 State treasury, and, subject to appropriation and as directed
3 by the Secretary of State, shall be used for operation of the
4 Department of Administrative Hearings of the Office of the
5 Secretary of State and for no other purpose. The Secretary
6 shall establish by rule the amount and the procedures, terms,
7 and conditions relating to these fees.

8 (b) At any time after the suspension, revocation or denial
9 of a license, permit, registration or certificate of title of
10 any person as hereinbefore referred to, the Secretary of State,
11 in his or her discretion and without the necessity of a request
12 by such person, may hold such a hearing, upon not less than 10
13 days' notice in writing, in the Counties of Sangamon,
14 Jefferson, or Cook or in any other county agreed to by the
15 parties.

16 (c) Upon any such hearing, the Secretary of State, or his
17 authorized agent may administer oaths and issue subpoenas for
18 the attendance of witnesses and the production of relevant
19 books and records and may require an examination of such
20 person. Upon any such hearing, the Secretary of State shall
21 either rescind or, good cause appearing therefor, continue,
22 change or extend the Order of Revocation or Suspension, or upon
23 petition therefore and subject to the provisions of this Code,
24 issue a restricted driving permit or reinstate the license or
25 permit of such person.

26 (d) All hearings and hearing procedures shall comply with

1 requirements of the Constitution, so that no person is deprived
2 of due process of law nor denied equal protection of the laws.
3 All hearings shall be held before the Secretary of State or
4 before such persons as may be designated by the Secretary of
5 State and appropriate records of such hearings shall be kept.
6 Where a transcript of the hearing is taken, the person
7 requesting the hearing shall have the opportunity to order a
8 copy thereof at his own expense. The Secretary of State shall
9 enter an order upon any hearing conducted under this Section,
10 related to a suspension, revocation, or the denial of the
11 issuance of a license, permit, registration, or certificate of
12 title occurring after July 1, 2002, within 90 days of its
13 conclusion and shall immediately notify the person in writing
14 of his or her action.

15 (d-5) Any hearing over which the Secretary of State has
16 jurisdiction because of a person's implied consent to testing
17 of the person's blood, breath, or urine for the presence of
18 alcohol, drugs, or intoxicating compounds may be conducted upon
19 a review of the official police reports. Either party, however,
20 may subpoena the arresting officer and any other law
21 enforcement officer who was involved in the petitioner's arrest
22 or processing after arrest, as well as any other person whose
23 testimony may be probative to the issues at the hearing. The
24 failure of a law enforcement officer to answer the subpoena
25 shall be considered grounds for a continuance if, in the
26 hearing officer's discretion, the continuance is appropriate.

1 The failure of the arresting officer to answer a subpoena shall
2 not, in and of itself, be considered grounds for the rescission
3 of an implied consent suspension. Rather, the hearing shall
4 proceed on the basis of the other evidence available, and the
5 hearing officer shall assign this evidence whatever probative
6 value is deemed appropriate. The decision to rescind shall be
7 based upon the totality of the evidence.

8 (e) The action of the Secretary of State in suspending,
9 revoking or denying any license, permit, registration, or
10 certificate of title shall be subject to judicial review in the
11 Circuit Court of Sangamon County, in the Circuit Court of
12 Jefferson County, or in the Circuit Court of Cook County, and
13 the provisions of the Administrative Review Law, and all
14 amendments and modifications thereto, and the rules adopted
15 pursuant thereto, are hereby adopted and shall apply to and
16 govern every action for the judicial review of final acts or
17 decisions of the Secretary of State hereunder.

18 (Source: P.A. 91-823, eff. 1-1-01; 92-418, eff. 8-17-01.)

19 (625 ILCS 5/6-201) (from Ch. 95 1/2, par. 6-201)

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

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

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

24 or

25 2. failed to give the required or correct information

1 in his application; or

2 3. failed to pay any fees, civil penalties owed to the
3 Illinois Commerce Commission, or taxes due under this Act
4 and upon reasonable notice and demand; or

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

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

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

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

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

1 restricted driving permit for such period as he deems
2 appropriate, except that such permit shall expire within
3 one year from the date of issuance. A restricted driving
4 permit issued hereunder shall be subject to cancellation,
5 revocation and suspension by the Secretary of State in like
6 manner and for like cause as a driver's license issued
7 hereunder may be cancelled, revoked or suspended; except
8 that a conviction upon one or more offenses against laws or
9 ordinances regulating the movement of traffic shall be
10 deemed sufficient cause for the revocation, suspension or
11 cancellation of a restricted driving permit. The Secretary
12 of State may, as a condition to the issuance of a
13 restricted driving permit, require the applicant to
14 participate in a driver remedial or rehabilitative
15 program; or

16 8. failed to submit a report as required by Section
17 6-116.5 of this Code; or

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

25 10. ~~9.~~ is ineligible for a license or permit under
26 Section 6-107, 6-107.1, or 6-108 of this Code.

1 (b) Upon such cancellation the licensee or permittee must
2 surrender the license or permit so cancelled to the Secretary
3 of State.

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

8 (d) The Secretary of State may adopt rules to implement
9 this Section.

10 (Source: P.A. 94-556, eff. 9-11-05; 94-916, eff. 7-1-07;
11 94-993, eff. 1-1-07; revised 8-3-06.)

12 (625 ILCS 5/6-205) (from Ch. 95 1/2, par. 6-205)

13 Sec. 6-205. Mandatory revocation of license or permit;
14 Hardship cases.

15 (a) Except as provided in this Section, the Secretary of
16 State shall immediately revoke the license, permit, or driving
17 privileges of any driver upon receiving a report of the
18 driver's conviction of any of the following offenses:

19 1. Reckless homicide resulting from the operation of a
20 motor vehicle;

21 2. Violation of Section 11-501 of this Code or a
22 similar provision of a local ordinance relating to the
23 offense of operating or being in physical control of a
24 vehicle while under the influence of alcohol, other drug or
25 drugs, intoxicating compound or compounds, or any

1 combination thereof;

2 3. Any felony under the laws of any State or the
3 federal government in the commission of which a motor
4 vehicle was used;

5 4. Violation of Section 11-401 of this Code relating to
6 the offense of leaving the scene of a traffic accident
7 involving death or personal injury;

8 5. Perjury or the making of a false affidavit or
9 statement under oath to the Secretary of State under this
10 Code or under any other law relating to the ownership or
11 operation of motor vehicles;

12 6. Conviction upon 3 charges of violation of Section
13 11-503 of this Code relating to the offense of reckless
14 driving committed within a period of 12 months;

15 7. Conviction of any offense defined in Section 4-102
16 of this Code;

17 8. Violation of Section 11-504 of this Code relating to
18 the offense of drag racing;

19 9. Violation of Chapters 8 and 9 of this Code;

20 10. Violation of Section 12-5 of the Criminal Code of
21 1961 arising from the use of a motor vehicle;

22 11. Violation of Section 11-204.1 of this Code relating
23 to aggravated fleeing or attempting to elude a peace
24 officer;

25 12. Violation of paragraph (1) of subsection (b) of
26 Section 6-507, or a similar law of any other state,

1 relating to the unlawful operation of a commercial motor
2 vehicle;

3 13. Violation of paragraph (a) of Section 11-502 of
4 this Code or a similar provision of a local ordinance if
5 the driver has been previously convicted of a violation of
6 that Section or a similar provision of a local ordinance
7 and the driver was less than 21 years of age at the time of
8 the offense.

9 (b) The Secretary of State shall also immediately revoke
10 the license or permit of any driver in the following
11 situations:

12 1. Of any minor upon receiving the notice provided for
13 in Section 5-901 of the Juvenile Court Act of 1987 that the
14 minor has been adjudicated under that Act as having
15 committed an offense relating to motor vehicles prescribed
16 in Section 4-103 of this Code;

17 2. Of any person when any other law of this State
18 requires either the revocation or suspension of a license
19 or permit.

20 (c) (1) Whenever a person is convicted of any of the
21 offenses enumerated in this Section, the court may
22 recommend and the Secretary of State in his discretion,
23 without regard to whether the recommendation is made by the
24 court may, upon application, issue to the person a
25 restricted driving permit granting the privilege of
26 driving a motor vehicle between the petitioner's residence

1 and petitioner's place of employment or within the scope of
2 the petitioner's employment related duties, or to allow
3 transportation for the petitioner or a household member of
4 the petitioner's family for the receipt of necessary
5 medical care or, ~~if the professional evaluation indicates,~~
6 provide transportation for the petitioner to and from ~~for~~
7 alcohol or drug remedial or rehabilitative activity
8 recommended by a licensed service provider, or for the
9 petitioner to attend classes, as a student, in an
10 accredited educational institution; if the petitioner is
11 able to demonstrate that no alternative means of
12 transportation is reasonably available and that the
13 petitioner will not endanger the public safety or welfare;
14 provided that the Secretary's discretion shall be limited
15 to cases where undue hardship, as defined by the rules of
16 the Secretary of State, would result from a failure to
17 issue the restricted driving permit. Those multiple
18 offenders identified in subdivision (b)4 of Section 6-208
19 of this Code, however, shall not be eligible for the
20 issuance of a restricted driving permit.

21 (2) If a person's license or permit is ~~has been~~ revoked
22 or suspended due to 2 or more convictions of violating
23 Section 11-501 of this Code or a similar provision of a
24 local ordinance or a similar out-of-state offense, or
25 Section 9-3 of the Criminal Code of 1961, where the use of
26 alcohol or other drugs is recited as an element of the

1 offense, or a similar out-of-state offense, or a
2 combination of these offenses, arising out of separate
3 occurrences, that person, if issued a restricted driving
4 permit, may not operate a vehicle unless it has been
5 equipped with an ignition interlock device as defined in
6 Section 1-129.1.

7 (3) If a person's license or permit is ~~has been~~ revoked
8 or suspended 2 or more times within a 10 year period due to
9 any combination of:

10 (A) a single conviction of violating Section
11 11-501 of this Code or a similar provision of a local
12 ordinance or a similar out-of-state offense, or
13 Section 9-3 of the Criminal Code of 1961, where the use
14 of alcohol or other drugs is recited as an element of
15 the offense, or a similar out-of-state offense; or, ~~and~~

16 (B) a statutory summary suspension under Section
17 11-501.1; ~~or~~

18 (C) a suspension pursuant to Section 6-203.1, ~~2 or~~
19 ~~more statutory summary suspensions, or combination of~~
20 ~~2 offenses, or of an offense and a statutory summary~~
21 ~~suspension,~~ arising out of separate occurrences, that
22 person, if issued a restricted driving permit, may not
23 operate a vehicle unless it has been equipped with an
24 ignition interlock device as defined in Section
25 1-129.1.

26 (4) The person must pay to the Secretary of State DUI

1 Administration Fund an amount not to exceed \$20 per month.
2 The Secretary shall establish by rule the amount and the
3 procedures, terms, and conditions relating to these fees.

4 (5) If the restricted driving permit is ~~was~~ issued for
5 employment purposes, then the prohibition against
6 operating a motor vehicle that is not equipped with an
7 ignition interlock device ~~this provision~~ does not apply to
8 the operation of an occupational vehicle owned or leased by
9 that person's employer when used solely for employment
10 purposes.

11 (6) In each case the Secretary of State may issue a
12 restricted driving permit for a period he deems
13 appropriate, except that the permit shall expire within one
14 year from the date of issuance. The Secretary may not,
15 however, issue a restricted driving permit to any person
16 whose current revocation is the result of a second or
17 subsequent conviction for a violation of Section 11-501 of
18 this Code or a similar provision of a local ordinance
19 ~~relating to the offense of operating or being in physical~~
20 ~~control of a motor vehicle while under the influence of~~
21 ~~alcohol, other drug or drugs, intoxicating compound or~~
22 ~~compounds,~~ or any similar out-of-state offense, or Section
23 9-3 of the Criminal Code of 1961, where the use of alcohol
24 or other drugs is recited as an element of the offense, or
25 any similar out-of-state offense, or any combination of
26 these offenses, ~~or any combination thereof,~~ until the

1 expiration of at least one year from the date of the
2 revocation. A restricted driving permit issued under this
3 Section shall be subject to cancellation, revocation, and
4 suspension by the Secretary of State in like manner and for
5 like cause as a driver's license issued under this Code may
6 be cancelled, revoked, or suspended; except that a
7 conviction upon one or more offenses against laws or
8 ordinances regulating the movement of traffic shall be
9 deemed sufficient cause for the revocation, suspension, or
10 cancellation of a restricted driving permit. The Secretary
11 of State may, as a condition to the issuance of a
12 restricted driving permit, require the petitioner
13 ~~applicant~~ to participate in a designated driver remedial or
14 rehabilitative program. The Secretary of State is
15 authorized to cancel a restricted driving permit if the
16 permit holder does not successfully complete the program.
17 However, if an individual's driving privileges have been
18 revoked in accordance with paragraph 13 of subsection (a)
19 of this Section, no restricted driving permit shall be
20 issued until the individual has served 6 months of the
21 revocation period.

22 (d) (1) Whenever a person under the age of 21 is
23 convicted under Section 11-501 of this Code or a similar
24 provision of a local ordinance, or a similar out-of-state
25 offense, the Secretary of State shall revoke the driving
26 privileges of that person. One year after the date of

1 revocation, and upon application, the Secretary of State
2 may, if satisfied that the person applying will not
3 endanger the public safety or welfare, issue a restricted
4 driving permit granting the privilege of driving a motor
5 vehicle only between the hours of 5 a.m. and 9 p.m. or as
6 otherwise provided by this Section for a period of one
7 year. After this one year period, and upon reapplication
8 for a license as provided in Section 6-106, upon payment of
9 the appropriate reinstatement fee provided under paragraph
10 (b) of Section 6-118, the Secretary of State, in his
11 discretion, may reinstate the petitioner's driver's
12 license and driving privileges ~~issue the applicant a~~
13 ~~license~~, or extend the restricted driving permit as many
14 times as the Secretary of State deems appropriate, by
15 additional periods of not more than 12 months each, ~~until~~
16 ~~the applicant attains 21 years of age.~~

17 (2) If a person's license or permit is ~~has been~~ revoked
18 or suspended due to 2 or more convictions of violating
19 Section 11-501 of this Code or a similar provision of a
20 local ordinance or a similar out-of-state offense, or
21 Section 9-3 of the Criminal Code of 1961, where the use of
22 alcohol or other drugs is recited as an element of the
23 offense, or a similar out-of-state offense, or a
24 combination of these offenses, arising out of separate
25 occurrences, that person, if issued a restricted driving
26 permit, may not operate a vehicle unless it has been

1 equipped with an ignition interlock device as defined in
2 Section 1-129.1.

3 (3) If a person's license or permit is ~~has been~~ revoked
4 or suspended 2 or more times within a 10 year period due to
5 any combination of:

6 (A) a single conviction of violating Section
7 11-501 of this Code or a similar provision of a local
8 ordinance or a similar out-of-state offense, or
9 Section 9-3 of the Criminal Code of 1961, where the use
10 of alcohol or other drugs is recited as an element of
11 the offense, or a similar out-of-state offense; or, ~~and~~

12 (B) a statutory summary suspension under Section
13 11-501.1; ~~or~~

14 (C) a suspension pursuant to Section 6-203.1, ~~2 or~~
15 ~~more statutory summary suspensions, or combination of~~
16 ~~2 offenses, or of an offense and a statutory summary~~
17 ~~suspension,~~ arising out of separate occurrences, that
18 person, if issued a restricted driving permit, may not
19 operate a vehicle unless it has been equipped with an
20 ignition interlock device as defined in Section
21 1-129.1.

22 (4) The person must pay to the Secretary of State DUI
23 Administration Fund an amount not to exceed \$20 per month.
24 The Secretary shall establish by rule the amount and the
25 procedures, terms, and conditions relating to these fees.

26 (5) If the restricted driving permit is ~~was~~ issued for

1 employment purposes, then the prohibition against driving
2 a vehicle that is not equipped with an ignition interlock
3 device ~~this provision~~ does not apply to the operation of an
4 occupational vehicle owned or leased by that person's
5 employer when used solely for employment purposes.

6 (6) A restricted driving permit issued under this
7 Section shall be subject to cancellation, revocation, and
8 suspension by the Secretary of State in like manner and for
9 like cause as a driver's license issued under this Code may
10 be cancelled, revoked, or suspended; except that a
11 conviction upon one or more offenses against laws or
12 ordinances regulating the movement of traffic shall be
13 deemed sufficient cause for the revocation, suspension, or
14 cancellation of a restricted driving permit. ~~The~~
15 ~~revocation periods contained in this subparagraph shall~~
16 ~~apply to similar out of state convictions.~~

17 (e) This Section is subject to the provisions of the Driver
18 License Compact.

19 (f) Any revocation imposed upon any person under
20 subsections 2 and 3 of paragraph (b) that is in effect on
21 December 31, 1988 shall be converted to a suspension for a like
22 period of time.

23 (g) The Secretary of State shall not issue a restricted
24 driving permit to a person under the age of 16 years whose
25 driving privileges have been revoked under any provisions of
26 this Code.

1 (h) The Secretary of State shall require the use of
2 ignition interlock devices on all vehicles owned by an
3 individual who has been convicted of a second or subsequent
4 offense under Section 11-501 of this Code or a similar
5 provision of a local ordinance. The Secretary shall establish
6 by rule and regulation the procedures for certification and use
7 of the interlock system.

8 (i) The Secretary of State may not issue a restricted
9 driving permit for a period of one year after a second or
10 subsequent revocation of driving privileges under clause
11 (a)(2) of this Section; however, one year after the date of a
12 second or subsequent revocation of driving privileges under
13 clause (a)(2) of this Section, the Secretary of State may, upon
14 application, issue a restricted driving permit under the terms
15 and conditions of subsection (c).

16 (j) In accordance with 49 C.F.R. 384, the Secretary of
17 State may not issue a restricted driving permit for the
18 operation of a commercial motor vehicle to a person holding a
19 CDL whose driving privileges have been revoked under any
20 provisions of this Code.

21 (Source: P.A. 93-120, eff. 1-1-04; 94-307, eff. 9-30-05.)

22 (625 ILCS 5/6-206) (from Ch. 95 1/2, par. 6-206)

23 Sec. 6-206. Discretionary authority to suspend or revoke
24 license or permit; Right to a hearing.

25 (a) The Secretary of State is authorized to suspend or

1 revoke the driving privileges of any person without preliminary
2 hearing upon a showing of the person's records or other
3 sufficient evidence that the person:

4 1. Has committed an offense for which mandatory
5 revocation of a driver's license or permit is required upon
6 conviction;

7 2. Has been convicted of not less than 3 offenses
8 against traffic regulations governing the movement of
9 vehicles committed within any 12 month period. No
10 revocation or suspension shall be entered more than 6
11 months after the date of last conviction;

12 3. Has been repeatedly involved as a driver in motor
13 vehicle collisions or has been repeatedly convicted of
14 offenses against laws and ordinances regulating the
15 movement of traffic, to a degree that indicates lack of
16 ability to exercise ordinary and reasonable care in the
17 safe operation of a motor vehicle or disrespect for the
18 traffic laws and the safety of other persons upon the
19 highway;

20 4. Has by the unlawful operation of a motor vehicle
21 caused or contributed to an accident resulting in death or
22 injury requiring immediate professional treatment in a
23 medical facility or doctor's office to any person, except
24 that any suspension or revocation imposed by the Secretary
25 of State under the provisions of this subsection shall
26 start no later than 6 months after being convicted of

1 violating a law or ordinance regulating the movement of
2 traffic, which violation is related to the accident, or
3 shall start not more than one year after the date of the
4 accident, whichever date occurs later;

5 5. Has permitted an unlawful or fraudulent use of a
6 driver's license, identification card, or permit;

7 6. Has been lawfully convicted of an offense or
8 offenses in another state, including the authorization
9 contained in Section 6-203.1, which if committed within
10 this State would be grounds for suspension or revocation;

11 7. Has refused or failed to submit to an examination
12 provided for by Section 6-207 or has failed to pass the
13 examination;

14 8. Is ineligible for a driver's license or permit under
15 the provisions of Section 6-103;

16 9. Has made a false statement or knowingly concealed a
17 material fact or has used false information or
18 identification in any application for a license,
19 identification card, or permit;

20 10. Has possessed, displayed, or attempted to
21 fraudulently use any license, identification card, or
22 permit not issued to the person;

23 11. Has operated a motor vehicle upon a highway of this
24 State when the person's driving privilege or privilege to
25 obtain a driver's license or permit was revoked or
26 suspended unless the operation was authorized by a judicial

1 driving permit, probationary license to drive, or a
2 restricted driving permit issued under this Code;

3 12. Has submitted to any portion of the application
4 process for another person or has obtained the services of
5 another person to submit to any portion of the application
6 process for the purpose of obtaining a license,
7 identification card, or permit for some other person;

8 13. Has operated a motor vehicle upon a highway of this
9 State when the person's driver's license or permit was
10 invalid under the provisions of Sections 6-107.1 and 6-110;

11 14. Has committed a violation of Section 6-301,
12 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B
13 of the Illinois Identification Card Act;

14 15. Has been convicted of violating Section 21-2 of the
15 Criminal Code of 1961 relating to criminal trespass to
16 vehicles in which case, the suspension shall be for one
17 year;

18 16. Has been convicted of violating Section 11-204 of
19 this Code relating to fleeing from a peace officer;

20 17. Has refused to submit to a test, or tests, as
21 required under Section 11-501.1 of this Code and the person
22 has not sought a hearing as provided for in Section
23 11-501.1;

24 18. Has, since issuance of a driver's license or
25 permit, been adjudged to be afflicted with or suffering
26 from any mental disability or disease;

1 19. Has committed a violation of paragraph (a) or (b)
2 of Section 6-101 relating to driving without a driver's
3 license;

4 20. Has been convicted of violating Section 6-104
5 relating to classification of driver's license;

6 21. Has been convicted of violating Section 11-402 of
7 this Code relating to leaving the scene of an accident
8 resulting in damage to a vehicle in excess of \$1,000, in
9 which case the suspension shall be for one year;

10 22. Has used a motor vehicle in violating paragraph
11 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
12 the Criminal Code of 1961 relating to unlawful use of
13 weapons, in which case the suspension shall be for one
14 year;

15 23. Has, as a driver, been convicted of committing a
16 violation of paragraph (a) of Section 11-502 of this Code
17 for a second or subsequent time within one year of a
18 similar violation;

19 24. Has been convicted by a court-martial or punished
20 by non-judicial punishment by military authorities of the
21 United States at a military installation in Illinois of or
22 for a traffic related offense that is the same as or
23 similar to an offense specified under Section 6-205 or
24 6-206 of this Code;

25 25. Has permitted any form of identification to be used
26 by another in the application process in order to obtain or

1 attempt to obtain a license, identification card, or
2 permit;

3 26. Has altered or attempted to alter a license or has
4 possessed an altered license, identification card, or
5 permit;

6 27. Has violated Section 6-16 of the Liquor Control Act
7 of 1934;

8 28. Has been convicted of the illegal possession, while
9 operating or in actual physical control, as a driver, of a
10 motor vehicle, of any controlled substance prohibited
11 under the Illinois Controlled Substances Act, any cannabis
12 prohibited under the Cannabis Control Act, or any
13 methamphetamine prohibited under the Methamphetamine
14 Control and Community Protection Act, in which case the
15 person's driving privileges shall be suspended for one
16 year, and any driver who is convicted of a second or
17 subsequent offense, within 5 years of a previous
18 conviction, for the illegal possession, while operating or
19 in actual physical control, as a driver, of a motor
20 vehicle, of any controlled substance prohibited under the
21 Illinois Controlled Substances Act, any cannabis
22 prohibited under the Cannabis Control Act, or any
23 methamphetamine prohibited under the Methamphetamine
24 Control and Community Protection Act shall be suspended for
25 5 years. Any defendant found guilty of this offense while
26 operating a motor vehicle, shall have an entry made in the

1 court record by the presiding judge that this offense did
2 occur while the defendant was operating a motor vehicle and
3 order the clerk of the court to report the violation to the
4 Secretary of State;

5 29. Has been convicted of the following offenses that
6 were committed while the person was operating or in actual
7 physical control, as a driver, of a motor vehicle: criminal
8 sexual assault, predatory criminal sexual assault of a
9 child, aggravated criminal sexual assault, criminal sexual
10 abuse, aggravated criminal sexual abuse, juvenile pimping,
11 soliciting for a juvenile prostitute and the manufacture,
12 sale or delivery of controlled substances or instruments
13 used for illegal drug use or abuse in which case the
14 driver's driving privileges shall be suspended for one
15 year;

16 30. Has been convicted a second or subsequent time for
17 any combination of the offenses named in paragraph 29 of
18 this subsection, in which case the person's driving
19 privileges shall be suspended for 5 years;

20 31. Has refused to submit to a test as required by
21 Section 11-501.6 or has submitted to a test resulting in an
22 alcohol concentration of 0.08 or more or any amount of a
23 drug, substance, or compound resulting from the unlawful
24 use or consumption of cannabis as listed in the Cannabis
25 Control Act, a controlled substance as listed in the
26 Illinois Controlled Substances Act, or an intoxicating

1 compound as listed in the Use of Intoxicating Compounds
2 Act, in which case the penalty shall be as prescribed in
3 Section 6-208.1;

4 32. Has been convicted of Section 24-1.2 of the
5 Criminal Code of 1961 relating to the aggravated discharge
6 of a firearm if the offender was located in a motor vehicle
7 at the time the firearm was discharged, in which case the
8 suspension shall be for 3 years;

9 33. Has as a driver, who was less than 21 years of age
10 on the date of the offense, been convicted a first time of
11 a violation of paragraph (a) of Section 11-502 of this Code
12 or a similar provision of a local ordinance;

13 34. Has committed a violation of Section 11-1301.5 of
14 this Code;

15 35. Has committed a violation of Section 11-1301.6 of
16 this Code;

17 36. Is under the age of 21 years at the time of arrest
18 and has been convicted of not less than 2 offenses against
19 traffic regulations governing the movement of vehicles
20 committed within any 24 month period. No revocation or
21 suspension shall be entered more than 6 months after the
22 date of last conviction;

23 37. Has committed a violation of subsection (c) of
24 Section 11-907 of this Code;

25 38. Has been convicted of a violation of Section 6-20
26 of the Liquor Control Act of 1934 or a similar provision of

1 a local ordinance;

2 39. Has committed a second or subsequent violation of
3 Section 11-1201 of this Code;

4 40. Has committed a violation of subsection (a-1) of
5 Section 11-908 of this Code;

6 41. Has committed a second or subsequent violation of
7 Section 11-605.1 of this Code within 2 years of the date of
8 the previous violation, in which case the suspension shall
9 be for 90 days; ~~or~~

10 42. Has committed a violation of subsection (a-1) of
11 Section 11-1301.3 of this Code; or ~~or~~

12 43. Has, in connection with or during the course of a
13 formal hearing conducted under Section 2-118 of this Code:
14 (i) committed perjury; (ii) submitted fraudulent or
15 falsified documents; (iii) submitted documents that have
16 been materially altered; or (iv), submitted as his or her
17 own, documents that were in fact prepared or composed for
18 another person.

19 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
20 and 27 of this subsection, license means any driver's license,
21 any traffic ticket issued when the person's driver's license is
22 deposited in lieu of bail, a suspension notice issued by the
23 Secretary of State, a duplicate or corrected driver's license,
24 a probationary driver's license or a temporary driver's
25 license.

26 (b) If any conviction forming the basis of a suspension or

1 revocation authorized under this Section is appealed, the
2 Secretary of State may rescind or withhold the entry of the
3 order of suspension or revocation, as the case may be, provided
4 that a certified copy of a stay order of a court is filed with
5 the Secretary of State. If the conviction is affirmed on
6 appeal, the date of the conviction shall relate back to the
7 time the original judgment of conviction was entered and the 6
8 month limitation prescribed shall not apply.

9 (c) 1. Upon suspending or revoking the driver's license or
10 permit of any person as authorized in this Section, the
11 Secretary of State shall immediately notify the person in
12 writing of the revocation or suspension. The notice to be
13 deposited in the United States mail, postage prepaid, to
14 the last known address of the person.

15 2. If the Secretary of State suspends the driver's
16 license of a person under subsection 2 of paragraph (a) of
17 this Section, a person's privilege to operate a vehicle as
18 an occupation shall not be suspended, provided an affidavit
19 is properly completed, the appropriate fee received, and a
20 permit issued prior to the effective date of the
21 suspension, unless 5 offenses were committed, at least 2 of
22 which occurred while operating a commercial vehicle in
23 connection with the driver's regular occupation. All other
24 driving privileges shall be suspended by the Secretary of
25 State. Any driver prior to operating a vehicle for
26 occupational purposes only must submit the affidavit on

1 forms to be provided by the Secretary of State setting
2 forth the facts of the person's occupation. The affidavit
3 shall also state the number of offenses committed while
4 operating a vehicle in connection with the driver's regular
5 occupation. The affidavit shall be accompanied by the
6 driver's license. Upon receipt of a properly completed
7 affidavit, the Secretary of State shall issue the driver a
8 permit to operate a vehicle in connection with the driver's
9 regular occupation only. Unless the permit is issued by the
10 Secretary of State prior to the date of suspension, the
11 privilege to drive any motor vehicle shall be suspended as
12 set forth in the notice that was mailed under this Section.
13 If an affidavit is received subsequent to the effective
14 date of this suspension, a permit may be issued for the
15 remainder of the suspension period.

16 The provisions of this subparagraph shall not apply to
17 any driver required to possess a CDL for the purpose of
18 operating a commercial motor vehicle.

19 Any person who falsely states any fact in the affidavit
20 required herein shall be guilty of perjury under Section
21 6-302 and upon conviction thereof shall have all driving
22 privileges revoked without further rights.

23 3. At the conclusion of a hearing under Section 2-118
24 of this Code, the Secretary of State shall either rescind
25 or continue an order of revocation or shall substitute an
26 order of suspension; or, good cause appearing therefor,

1 rescind, continue, change, or extend the order of
2 suspension. If the Secretary of State does not rescind the
3 order, the Secretary may upon application, to relieve undue
4 hardship (as defined by the rules of the Secretary of
5 State), issue a restricted driving permit granting the
6 privilege of driving a motor vehicle between the
7 petitioner's residence and petitioner's place of
8 employment or within the scope of the petitioner's ~~his~~
9 employment related duties, or to allow transportation for
10 the petitioner, or a household member of the petitioner's
11 family, to receive necessary medical care ~~and if the~~
12 ~~professional evaluation indicates,~~ provide transportation
13 to and from ~~for~~ alcohol or drug remedial or rehabilitative
14 activity recommended by a licensed service provider, or for
15 the petitioner to attend classes, as a student, in an
16 accredited educational institution. ~~The, if the~~ petitioner
17 must ~~is able to~~ demonstrate that no alternative means of
18 transportation is reasonably available and that the
19 petitioner will not endanger the public safety or welfare.
20 Those multiple offenders identified in subdivision (b)4 of
21 Section 6-208 of this Code, however, shall not be eligible
22 for the issuance of a restricted driving permit.

23 (A) If a person's license or permit is ~~has been~~ revoked
24 or suspended due to 2 or more convictions of violating
25 Section 11-501 of this Code or a similar provision of a
26 local ordinance or a similar out-of-state offense, or

1 Section 9-3 of the Criminal Code of 1961, where the use of
2 alcohol or other drugs is recited as an element of the
3 offense, or a similar out-of-state offense, or a
4 combination of these offenses, arising out of separate
5 occurrences, that person, if issued a restricted driving
6 permit, may not operate a vehicle unless it has been
7 equipped with an ignition interlock device as defined in
8 Section 1-129.1.

9 (B) If a person's license or permit is ~~has been~~ revoked
10 or suspended 2 or more times within a 10 year period due to
11 any combination of:

12 (i) a single conviction of violating Section
13 11-501 of this Code or a similar provision of a local
14 ordinance or a similar out-of-state offense or Section
15 9-3 of the Criminal Code of 1961, where the use of
16 alcohol or other drugs is recited as an element of the
17 offense, or a similar out-of-state offense; or, and

18 (ii) a statutory summary suspension under Section
19 11-501.1; ~~7~~ or

20 (iii) a suspension under Section 6-203.1, ~~2 or more~~
21 ~~statutory summary suspensions, or combination of 2~~
22 ~~offenses, or of an offense and a statutory summary~~
23 ~~suspension,~~ arising out of separate occurrences, that
24 person, if issued a restricted driving permit, may not
25 operate a vehicle unless it has been equipped with an
26 ignition interlock device as defined in Section

1 1-129.1.

2 (C) The person must pay to the Secretary of State DUI
3 Administration Fund an amount not to exceed \$20 per month.
4 The Secretary shall establish by rule the amount and the
5 procedures, terms, and conditions relating to these fees.

6 (D) If the restricted driving permit ~~is was~~ issued for
7 employment purposes, then the prohibition against
8 operating a motor vehicle that is not equipped with an
9 ignition interlock device ~~this provision~~ does not apply to
10 the operation of an occupational vehicle owned or leased by
11 that person's employer when used solely for employment
12 purposes.

13 (E) In each case the Secretary may issue a restricted
14 driving permit for a period deemed appropriate, except that
15 all permits shall expire within one year from the date of
16 issuance. The Secretary may not, however, issue a
17 restricted driving permit to any person whose current
18 revocation is the result of a second or subsequent
19 conviction for a violation of Section 11-501 of this Code
20 or a similar provision of a local ordinance ~~relating to the~~
21 ~~offense of operating or being in physical control of a~~
22 ~~motor vehicle while under the influence of alcohol, other~~
23 ~~drug or drugs, intoxicating compound or compounds,~~ or any
24 similar out-of-state offense, or Section 9-3 of the
25 Criminal Code of 1961, where the use of alcohol or other
26 drugs is recited as an element of the offense, or any

1 similar out-of-state offense, or any combination of those
2 offenses, until the expiration of at least one year from
3 the date of the revocation. A restricted driving permit
4 issued under this Section shall be subject to cancellation,
5 revocation, and suspension by the Secretary of State in
6 like manner and for like cause as a driver's license issued
7 under this Code may be cancelled, revoked, or suspended;
8 except that a conviction upon one or more offenses against
9 laws or ordinances regulating the movement of traffic shall
10 be deemed sufficient cause for the revocation, suspension,
11 or cancellation of a restricted driving permit. The
12 Secretary of State may, as a condition to the issuance of a
13 restricted driving permit, require the applicant to
14 participate in a designated driver remedial or
15 rehabilitative program. The Secretary of State is
16 authorized to cancel a restricted driving permit if the
17 permit holder does not successfully complete the program.

18 (c-5) The Secretary of State may, as a condition of the
19 reissuance of a driver's license or permit to an applicant
20 whose driver's license or permit has been suspended before he
21 or she reached the age of 18 years pursuant to any of the
22 provisions of this Section, require the applicant to
23 participate in a driver remedial education course and be
24 retested under Section 6-109 of this Code.

25 (d) This Section is subject to the provisions of the
26 Drivers License Compact.

1 (e) The Secretary of State shall not issue a restricted
2 driving permit to a person under the age of 16 years whose
3 driving privileges have been suspended or revoked under any
4 provisions of this Code.

5 (f) In accordance with 49 C.F.R. 384, the Secretary of
6 State may not issue a restricted driving permit for the
7 operation of a commercial motor vehicle to a person holding a
8 CDL whose driving privileges have been suspended or revoked
9 under any provisions of this Code.

10 (Source: P.A. 93-120, eff. 1-1-04; 93-667, eff. 3-19-04;
11 93-788, eff. 1-1-05; 93-955, eff. 8-19-04; 94-307, eff.
12 9-30-05; 94-556, eff. 9-11-05; 94-930, eff. 6-26-06.)

13 (625 ILCS 5/11-501.8)

14 Sec. 11-501.8. Suspension of driver's license; persons
15 under age 21.

16 (a) A person who is less than 21 years of age and who
17 drives or is in actual physical control of a motor vehicle upon
18 the public highways of this State shall be deemed to have given
19 consent to a chemical test or tests of blood, breath, or urine
20 for the purpose of determining the alcohol content of the
21 person's blood if arrested, as evidenced by the issuance of a
22 Uniform Traffic Ticket for any violation of the Illinois
23 Vehicle Code or a similar provision of a local ordinance, if a
24 police officer has probable cause to believe that the driver
25 has consumed any amount of an alcoholic beverage based upon

1 evidence of the driver's physical condition or other first hand
2 knowledge of the police officer. The test or tests shall be
3 administered at the direction of the arresting officer. The law
4 enforcement agency employing the officer shall designate which
5 of the aforesaid tests shall be administered. A urine test may
6 be administered even after a blood or breath test or both has
7 been administered.

8 (b) A person who is dead, unconscious, or who is otherwise
9 in a condition rendering that person incapable of refusal,
10 shall be deemed not to have withdrawn the consent provided by
11 paragraph (a) of this Section and the test or tests may be
12 administered subject to the following provisions:

13 (i) Chemical analysis of the person's blood, urine,
14 breath, or other bodily substance, to be considered valid
15 under the provisions of this Section, shall have been
16 performed according to standards promulgated by the
17 Department of State Police by an individual possessing a
18 valid permit issued by that Department for this purpose.
19 The Director of State Police is authorized to approve
20 satisfactory techniques or methods, to ascertain the
21 qualifications and competence of individuals to conduct
22 analyses, to issue permits that shall be subject to
23 termination or revocation at the direction of that
24 Department, and to certify the accuracy of breath testing
25 equipment. The Department of State Police shall prescribe
26 regulations as necessary.

1 (ii) When a person submits to a blood test at the
2 request of a law enforcement officer under the provisions
3 of this Section, only a physician authorized to practice
4 medicine, a registered nurse, or other qualified person
5 trained in venipuncture and acting under the direction of a
6 licensed physician may withdraw blood for the purpose of
7 determining the alcohol content therein. This limitation
8 does not apply to the taking of breath or urine specimens.

9 (iii) The person tested may have a physician, qualified
10 technician, chemist, registered nurse, or other qualified
11 person of his or her own choosing administer a chemical
12 test or tests in addition to any test or tests administered
13 at the direction of a law enforcement officer. The failure
14 or inability to obtain an additional test by a person shall
15 not preclude the consideration of the previously performed
16 chemical test.

17 (iv) Upon a request of the person who submits to a
18 chemical test or tests at the request of a law enforcement
19 officer, full information concerning the test or tests
20 shall be made available to the person or that person's
21 attorney.

22 (v) Alcohol concentration means either grams of
23 alcohol per 100 milliliters of blood or grams of alcohol
24 per 210 liters of breath.

25 (vi) If a driver is receiving medical treatment as a
26 result of a motor vehicle accident, a physician licensed to

1 practice medicine, registered nurse, or other qualified
2 person trained in venipuncture and acting under the
3 direction of a licensed physician shall withdraw blood for
4 testing purposes to ascertain the presence of alcohol upon
5 the specific request of a law enforcement officer. However,
6 that testing shall not be performed until, in the opinion
7 of the medical personnel on scene, the withdrawal can be
8 made without interfering with or endangering the
9 well-being of the patient.

10 (c) A person requested to submit to a test as provided
11 above shall be warned by the law enforcement officer requesting
12 the test that a refusal to submit to the test, or submission to
13 the test resulting in an alcohol concentration of more than
14 0.00, may result in the loss of that person's privilege to
15 operate a motor vehicle. The loss of driving privileges shall
16 be imposed in accordance with Section 6-208.2 of this Code.

17 (d) If the person refuses testing or submits to a test that
18 discloses an alcohol concentration of more than 0.00, the law
19 enforcement officer shall immediately submit a sworn report to
20 the Secretary of State on a form prescribed by the Secretary of
21 State, certifying that the test or tests were requested under
22 subsection (a) and the person refused to submit to a test or
23 tests or submitted to testing which disclosed an alcohol
24 concentration of more than 0.00. The law enforcement officer
25 shall submit the same sworn report when a person under the age
26 of 21 submits to testing under Section 11-501.1 of this Code

1 and the testing discloses an alcohol concentration of more than
2 0.00 and less than 0.08.

3 Upon receipt of the sworn report of a law enforcement
4 officer, the Secretary of State shall enter the driver's
5 license sanction on the individual's driving record and the
6 sanctions shall be effective on the 46th day following the date
7 notice of the sanction was given to the person. If this
8 sanction is the individual's first driver's license suspension
9 under this Section, reports received by the Secretary of State
10 under this Section shall, except during the time the suspension
11 is in effect, be privileged information and for use only by the
12 courts, police officers, prosecuting authorities, the
13 Secretary of State, or the individual personally.

14 The law enforcement officer submitting the sworn report
15 shall serve immediate notice of this driver's license sanction
16 on the person and the sanction shall be effective on the 46th
17 day following the date notice was given.

18 In cases where the blood alcohol concentration of more than
19 0.00 is established by a subsequent analysis of blood or urine,
20 the police officer or arresting agency shall give notice as
21 provided in this Section or by deposit in the United States
22 mail of that notice in an envelope with postage prepaid and
23 addressed to that person at his last known address and the loss
24 of driving privileges shall be effective on the 46th day
25 following the date notice was given.

26 Upon receipt of the sworn report of a law enforcement

1 officer, the Secretary of State shall also give notice of the
2 driver's license sanction to the driver by mailing a notice of
3 the effective date of the sanction to the individual. However,
4 should the sworn report be defective by not containing
5 sufficient information or be completed in error, the notice of
6 the driver's license sanction may not be mailed to the person
7 or entered to the driving record, but rather the sworn report
8 shall be returned to the issuing law enforcement agency.

9 (e) A driver may contest this driver's license sanction by
10 requesting an administrative hearing with the Secretary of
11 State in accordance with Section 2-118 of this Code. An
12 individual whose blood alcohol concentration is shown to be
13 more than 0.00 is not subject to this Section if he or she
14 consumed alcohol in the performance of a religious service or
15 ceremony. An individual whose blood alcohol concentration is
16 shown to be more than 0.00 shall not be subject to this Section
17 if the individual's blood alcohol concentration resulted only
18 from ingestion of the prescribed or recommended dosage of
19 medicine that contained alcohol. The petition for that hearing
20 shall not stay or delay the effective date of the impending
21 suspension. The scope of this hearing shall be limited to the
22 issues of:

23 (1) whether the police officer had probable cause to
24 believe that the person was driving or in actual physical
25 control of a motor vehicle upon the public highways of the
26 State and the police officer had reason to believe that the

1 person was in violation of any provision of the Illinois
2 Vehicle Code or a similar provision of a local ordinance;
3 and

4 (2) whether the person was issued a Uniform Traffic
5 Ticket for any violation of the Illinois Vehicle Code or a
6 similar provision of a local ordinance; and

7 (3) whether the police officer had probable cause to
8 believe that the driver had consumed any amount of an
9 alcoholic beverage based upon the driver's physical
10 actions or other first-hand knowledge of the police
11 officer; and

12 (4) whether the person, after being advised by the
13 officer that the privilege to operate a motor vehicle would
14 be suspended if the person refused to submit to and
15 complete the test or tests, did refuse to submit to or
16 complete the test or tests to determine the person's
17 alcohol concentration; and

18 (5) whether the person, after being advised by the
19 officer that the privileges to operate a motor vehicle
20 would be suspended if the person submits to a chemical test
21 or tests and the test or tests disclose an alcohol
22 concentration of more than 0.00, did submit to and complete
23 the test or tests that determined an alcohol concentration
24 of more than 0.00; and

25 (6) whether the test result of an alcohol concentration
26 of more than 0.00 was based upon the person's consumption

1 of alcohol in the performance of a religious service or
2 ceremony; and

3 (7) whether the test result of an alcohol concentration
4 of more than 0.00 was based upon the person's consumption
5 of alcohol through ingestion of the prescribed or
6 recommended dosage of medicine.

7 ~~Provided that the petitioner may subpoena the officer, the~~
8 ~~hearing may be conducted upon a review of the law enforcement~~
9 ~~officer's own official reports. Failure of the officer to~~
10 ~~answer the subpoena shall be grounds for a continuance if, in~~
11 ~~the hearing officer's discretion, the continuance is~~
12 ~~appropriate.~~ At the conclusion of the hearing held under
13 Section 2-118 of this Code, the Secretary of State may rescind,
14 continue, or modify the driver's license sanction. If the
15 Secretary of State does not rescind the sanction, a restricted
16 driving permit may be granted by the Secretary of State upon
17 application being made and good cause shown. A restricted
18 driving permit may be granted to relieve undue hardship by
19 allowing driving for employment, educational, and medical
20 purposes as outlined in item (3) of part (c) of Section 6-206
21 of this Code. The provisions of item (3) of part (c) of Section
22 6-206 of this Code and of subsection (f) of that Section shall
23 apply. The Secretary of State shall promulgate rules providing
24 for participation in an alcohol education and awareness program
25 or activity, a drug education and awareness program or
26 activity, or both as a condition to the issuance of a

1 restricted driving permit for suspensions imposed under this
2 Section.

3 (f) The results of any chemical testing performed in
4 accordance with subsection (a) of this Section are not
5 admissible in any civil or criminal proceeding, except that the
6 results of the testing may be considered at a hearing held
7 under Section 2-118 of this Code. However, the results of the
8 testing may not be used to impose driver's license sanctions
9 under Section 11-501.1 of this Code. A law enforcement officer
10 may, however, pursue a statutory summary suspension of driving
11 privileges under Section 11-501.1 of this Code if other
12 physical evidence or first hand knowledge forms the basis of
13 that suspension.

14 (g) This Section applies only to drivers who are under age
15 21 at the time of the issuance of a Uniform Traffic Ticket for
16 a violation of the Illinois Vehicle Code or a similar provision
17 of a local ordinance, and a chemical test request is made under
18 this Section.

19 (h) The action of the Secretary of State in suspending,
20 revoking, or denying any license, permit, registration, or
21 certificate of title shall be subject to judicial review in the
22 Circuit Court of Sangamon County or in the Circuit Court of
23 Cook County, and the provisions of the Administrative Review
24 Law and its rules are hereby adopted and shall apply to and
25 govern every action for the judicial review of final acts or
26 decisions of the Secretary of State under this Section.

1 (Source: P.A. 94-307, eff. 9-30-05.)