



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4820

Introduced 1/12/2010, by Rep. William Davis

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Vehicle Code and Criminal Code of 1961. Provides that in addition to existing requirements, applicants for a school bus driver permit must not have been convicted of aggravated reckless driving or driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof (rather than driving while intoxicated). Deletes a requirement that the Secretary of State forward a certified copy of the record of such action to the motor vehicle administrator in the State where such person resides when a nonresident's operating privilege is suspended or revoked. Renames "driver exam training school" as "driver training school" in the Illinois Vehicle Code and Criminal Code of 1961. Changes the definition of "medical examiner" or "medical practitioner" in the Driver's License Medical Review Law of 1992 to include any person licensed to practice medicine in all its branches in the State of Illinois or any other state (rather than just the State of Illinois). Makes other technical changes. Effective immediately.

LRB096 17402 AJT 32755 b

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 6-103, 6-106.1, and 6-202 and the heading of Article
6 IV Ch. 6 and Sections 6-401, 6-402, 6-403, 6-404, 6-405, 6-406,
7 6-407, 6-408, 6-408.5, 6-409, 6-410, 6-411, 6-412, 6-413,
8 6-414, 6-415, 6-416, 6-417, 6-419, 6-420, 6-422, 6-901, and
9 11-1301.3 as follows:

10 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

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

15 1. To any person, as a driver, who is under the age of
16 18 years except as provided in Section 6-107, and except
17 that an instruction permit may be issued under Section
18 6-107.1 to a child who is not less than 15 years of age if
19 the child is enrolled in an approved driver education
20 course as defined in Section 1-103 of this Code and
21 requires an instruction permit to participate therein,
22 except that an instruction permit may be issued under the
23 provisions of Section 6-107.1 to a child who is 17 years

1 and 3 months of age without the child having enrolled in an
2 approved driver education course and except that an
3 instruction permit may be issued to a child who is at least
4 15 years and 3 months of age, is enrolled in school, meets
5 the educational requirements of the Driver Education Act,
6 and has passed examinations the Secretary of State in his
7 or her discretion may prescribe;

8 2. To any person who is under the age of 18 as an
9 operator of a motorcycle other than a motor driven cycle
10 unless the person has, in addition to meeting the
11 provisions of Section 6-107 of this Code, successfully
12 completed a motorcycle training course approved by the
13 Illinois Department of Transportation and successfully
14 completes the required Secretary of State's motorcycle
15 driver's examination;

16 3. To any person, as a driver, whose driver's license
17 or permit has been suspended, during the suspension, nor to
18 any person whose driver's license or permit has been
19 revoked, except as provided in Sections 6-205, 6-206, and
20 6-208;

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

24 5. To any person, as a driver, who has previously been
25 adjudged to be afflicted with or suffering from any mental
26 or physical disability or disease and who has not at the

1 time of application been restored to competency by the
2 methods provided by law;

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

8 7. To any person who is required under the provisions
9 of the laws of this State to deposit security or proof of
10 financial responsibility and who has not deposited the
11 security or proof;

12 8. To any person when the Secretary of State has good
13 cause to believe that the person by reason of physical or
14 mental disability would not be able to safely operate a
15 motor vehicle upon the highways, unless the person shall
16 furnish to the Secretary of State a verified written
17 statement, acceptable to the Secretary of State, from a
18 competent medical specialist to the effect that the
19 operation of a motor vehicle by the person would not be
20 inimical to the public safety;

21 9. To any person, as a driver, who is 69 years of age
22 or older, unless the person has successfully complied with
23 the provisions of Section 6-109;

24 10. To any person convicted, within 12 months of
25 application for a license, of any of the sexual offenses
26 enumerated in paragraph 2 of subsection (b) of Section

1 6-205;

2 11. To any person who is under the age of 21 years with
3 a classification prohibited in paragraph (b) of Section
4 6-104 and to any person who is under the age of 18 years
5 with a classification prohibited in paragraph (c) of
6 Section 6-104;

7 12. To any person who has been either convicted of or
8 adjudicated under the Juvenile Court Act of 1987 based upon
9 a violation of the Cannabis Control Act, the Illinois
10 Controlled Substances Act, or the Methamphetamine Control
11 and Community Protection Act while that person was in
12 actual physical control of a motor vehicle. For purposes of
13 this Section, any person placed on probation under Section
14 10 of the Cannabis Control Act, Section 410 of the Illinois
15 Controlled Substances Act, or Section 70 of the
16 Methamphetamine Control and Community Protection Act shall
17 not be considered convicted. Any person found guilty of
18 this offense, while in actual physical control of a motor
19 vehicle, shall have an entry made in the court record by
20 the judge that this offense did occur while the person was
21 in actual physical control of a motor vehicle and order the
22 clerk of the court to report the violation to the Secretary
23 of State as such. The Secretary of State shall not issue a
24 new license or permit for a period of one year;

25 13. To any person who is under the age of 18 years and
26 who has committed the offense of operating a motor vehicle

1 without a valid license or permit in violation of Section
2 6-101 or a similar out of state offense;

3 14. To any person who is 90 days or more delinquent in
4 court ordered child support payments or has been
5 adjudicated in arrears in an amount equal to 90 days'
6 obligation or more and who has been found in contempt of
7 court for failure to pay the support, subject to the
8 requirements and procedures of Article VII of Chapter 7 of
9 the Illinois Vehicle Code;

10 14.5. To any person certified by the Illinois
11 Department of Healthcare and Family Services as being 90
12 days or more delinquent in payment of support under an
13 order of support entered by a court or administrative body
14 of this or any other State, subject to the requirements and
15 procedures of Article VII of Chapter 7 of this Code
16 regarding those certifications;

17 15. To any person released from a term of imprisonment
18 for violating Section 9-3 of the Criminal Code of 1961 or a
19 similar provision of a law of another state relating to
20 reckless homicide or for violating subparagraph (F) of
21 paragraph (1) of subsection (d) of Section 11-501 of this
22 Code relating to aggravated driving under the influence of
23 alcohol, other drug or drugs, intoxicating compound or
24 compounds, or any combination thereof, if the violation was
25 the proximate cause of a death, within 24 months of release
26 from a term of imprisonment;

1 16. To any person who, with intent to influence any act
2 related to the issuance of any driver's license or permit,
3 by an employee of the Secretary of State's Office, or the
4 owner or employee of any commercial driver ~~exam~~ training
5 school licensed by the Secretary of State, or any other
6 individual authorized by the laws of this State to give
7 driving instructions or administer all or part of a
8 driver's license examination, promises or tenders to that
9 person any property or personal advantage which that person
10 is not authorized by law to accept. Any persons promising
11 or tendering such property or personal advantage shall be
12 disqualified from holding any class of driver's license or
13 permit for 120 consecutive days. The Secretary of State
14 shall establish by rule the procedures for implementing
15 this period of disqualification and the procedures by which
16 persons so disqualified may obtain administrative review
17 of the decision to disqualify;

18 17. To any person for whom the Secretary of State
19 cannot verify the accuracy of any information or
20 documentation submitted in application for a driver's
21 license; or

22 18. To any person who has been adjudicated under the
23 Juvenile Court Act of 1987 based upon an offense that is
24 determined by the court to have been committed in
25 furtherance of the criminal activities of an organized
26 gang, as provided in Section 5-710 of that Act, and that

1 involved the operation or use of a motor vehicle or the use
2 of a driver's license or permit. The person shall be denied
3 a license or permit for the period determined by the court.

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

7 (Source: P.A. 95-310, eff. 1-1-08; 95-337, eff. 6-1-08; 95-685,
8 eff. 6-23-07; 95-876, eff. 8-21-08; 96-607, eff. 8-24-09;
9 96-740, eff. 1-1-10; revised 9-15-09.)

10 (625 ILCS 5/6-106.1) (from Ch. 95 1/2, par. 6-106.1)

11 Sec. 6-106.1. School bus driver permit.

12 (a) The Secretary of State shall issue a school bus driver
13 permit to those applicants who have met all the requirements of
14 the application and screening process under this Section to
15 insure the welfare and safety of children who are transported
16 on school buses throughout the State of Illinois. Applicants
17 shall obtain the proper application required by the Secretary
18 of State from their prospective or current employer and submit
19 the completed application to the prospective or current
20 employer along with the necessary fingerprint submission as
21 required by the Department of State Police to conduct
22 fingerprint based criminal background checks on current and
23 future information available in the state system and current
24 information available through the Federal Bureau of
25 Investigation's system. Applicants who have completed the

1 fingerprinting requirements shall not be subjected to the
2 fingerprinting process when applying for subsequent permits or
3 submitting proof of successful completion of the annual
4 refresher course. Individuals who on the effective date of this
5 Act possess a valid school bus driver permit that has been
6 previously issued by the appropriate Regional School
7 Superintendent are not subject to the fingerprinting
8 provisions of this Section as long as the permit remains valid
9 and does not lapse. The applicant shall be required to pay all
10 related application and fingerprinting fees as established by
11 rule including, but not limited to, the amounts established by
12 the Department of State Police and the Federal Bureau of
13 Investigation to process fingerprint based criminal background
14 investigations. All fees paid for fingerprint processing
15 services under this Section shall be deposited into the State
16 Police Services Fund for the cost incurred in processing the
17 fingerprint based criminal background investigations. All
18 other fees paid under this Section shall be deposited into the
19 Road Fund for the purpose of defraying the costs of the
20 Secretary of State in administering this Section. All
21 applicants must:

- 22 1. be 21 years of age or older;
- 23 2. possess a valid and properly classified driver's
24 license issued by the Secretary of State;
- 25 3. possess a valid driver's license, which has not been
26 revoked, suspended, or canceled for 3 years immediately

1 prior to the date of application, or have not had his or
2 her commercial motor vehicle driving privileges
3 disqualified within the 3 years immediately prior to the
4 date of application;

5 4. successfully pass a written test, administered by
6 the Secretary of State, on school bus operation, school bus
7 safety, and special traffic laws relating to school buses
8 and submit to a review of the applicant's driving habits by
9 the Secretary of State at the time the written test is
10 given;

11 5. demonstrate ability to exercise reasonable care in
12 the operation of school buses in accordance with rules
13 promulgated by the Secretary of State;

14 6. demonstrate physical fitness to operate school
15 buses by submitting the results of a medical examination,
16 including tests for drug use for each applicant not subject
17 to such testing pursuant to federal law, conducted by a
18 licensed physician, an advanced practice nurse who has a
19 written collaborative agreement with a collaborating
20 physician which authorizes him or her to perform medical
21 examinations, or a physician assistant who has been
22 delegated the performance of medical examinations by his or
23 her supervising physician within 90 days of the date of
24 application according to standards promulgated by the
25 Secretary of State;

26 7. affirm under penalties of perjury that he or she has

1 not made a false statement or knowingly concealed a
2 material fact in any application for permit;

3 8. have completed an initial classroom course,
4 including first aid procedures, in school bus driver safety
5 as promulgated by the Secretary of State; and after
6 satisfactory completion of said initial course an annual
7 refresher course; such courses and the agency or
8 organization conducting such courses shall be approved by
9 the Secretary of State; failure to complete the annual
10 refresher course, shall result in cancellation of the
11 permit until such course is completed;

12 9. not have been convicted of 2 or more serious traffic
13 offenses, as defined by rule, within one year prior to the
14 date of application that may endanger the life or safety of
15 any of the driver's passengers within the duration of the
16 permit period;

17 10. not have been convicted of reckless driving,
18 aggravated reckless driving, driving while under the
19 influence of alcohol, other drug or drugs, intoxicating
20 compound or compounds or any combination thereof
21 ~~intoxicated,~~ or reckless homicide resulting from the
22 operation of a motor vehicle within 3 years of the date of
23 application;

24 11. not have been convicted of committing or attempting
25 to commit any one or more of the following offenses: (i)
26 those offenses defined in Sections 9-1, 9-1.2, 9-2, 9-2.1,

1 9-3, 9-3.2, 9-3.3, 10-1, 10-2, 10-3.1, 10-4, 10-5, 10-6,
2 10-7, 11-6, 11-9, 11-9.1, 11-14, 11-15, 11-15.1, 11-16,
3 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,
4 11-21, 11-22, 12-3.1, 12-4.1, 12-4.2, 12-4.3, 12-4.4,
5 12-4.5, 12-6, 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-11,
6 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-16.2, 12-21.5,
7 12-21.6, 12-33, 18-1, 18-2, 18-3, 18-4, 18-5, 20-1, 20-1.1,
8 20-2, 24-1, 24-1.1, 24-1.2, 24-3.3, 31A-1, 31A-1.1, and
9 33A-2, and in subsection (a) and subsection (b), clause
10 (1), of Section 12-4 of the Criminal Code of 1961; (ii)
11 those offenses defined in the Cannabis Control Act except
12 those offenses defined in subsections (a) and (b) of
13 Section 4, and subsection (a) of Section 5 of the Cannabis
14 Control Act; (iii) those offenses defined in the Illinois
15 Controlled Substances Act; (iv) those offenses defined in
16 the Methamphetamine Control and Community Protection Act;
17 (v) any offense committed or attempted in any other state
18 or against the laws of the United States, which if
19 committed or attempted in this State would be punishable as
20 one or more of the foregoing offenses; (vi) the offenses
21 defined in Section 4.1 and 5.1 of the Wrongs to Children
22 Act and (vii) those offenses defined in Section 6-16 of the
23 Liquor Control Act of 1934;

24 12. not have been repeatedly involved as a driver in
25 motor vehicle collisions or been repeatedly convicted of
26 offenses against laws and ordinances regulating the

1 movement of traffic, to a degree which indicates lack of
2 ability to exercise ordinary and reasonable care in the
3 safe operation of a motor vehicle or disrespect for the
4 traffic laws and the safety of other persons upon the
5 highway;

6 13. not have, through the unlawful operation of a motor
7 vehicle, caused an accident resulting in the death of any
8 person; and

9 14. not have, within the last 5 years, been adjudged to
10 be afflicted with or suffering from any mental disability
11 or disease.

12 (b) A school bus driver permit shall be valid for a period
13 specified by the Secretary of State as set forth by rule. It
14 shall be renewable upon compliance with subsection (a) of this
15 Section.

16 (c) A school bus driver permit shall contain the holder's
17 driver's license number, legal name, residence address, zip
18 code, social security number and date of birth, a brief
19 description of the holder and a space for signature. The
20 Secretary of State may require a suitable photograph of the
21 holder.

22 (d) The employer shall be responsible for conducting a
23 pre-employment interview with prospective school bus driver
24 candidates, distributing school bus driver applications and
25 medical forms to be completed by the applicant, and submitting
26 the applicant's fingerprint cards to the Department of State

1 Police that are required for the criminal background
2 investigations. The employer shall certify in writing to the
3 Secretary of State that all pre-employment conditions have been
4 successfully completed including the successful completion of
5 an Illinois specific criminal background investigation through
6 the Department of State Police and the submission of necessary
7 fingerprints to the Federal Bureau of Investigation for
8 criminal history information available through the Federal
9 Bureau of Investigation system. The applicant shall present the
10 certification to the Secretary of State at the time of
11 submitting the school bus driver permit application.

12 (e) Permits shall initially be provisional upon receiving
13 certification from the employer that all pre-employment
14 conditions have been successfully completed, and upon
15 successful completion of all training and examination
16 requirements for the classification of the vehicle to be
17 operated, the Secretary of State shall provisionally issue a
18 School Bus Driver Permit. The permit shall remain in a
19 provisional status pending the completion of the Federal Bureau
20 of Investigation's criminal background investigation based
21 upon fingerprinting specimens submitted to the Federal Bureau
22 of Investigation by the Department of State Police. The Federal
23 Bureau of Investigation shall report the findings directly to
24 the Secretary of State. The Secretary of State shall remove the
25 bus driver permit from provisional status upon the applicant's
26 successful completion of the Federal Bureau of Investigation's

1 criminal background investigation.

2 (f) A school bus driver permit holder shall notify the
3 employer and the Secretary of State if he or she is convicted
4 in another state of an offense that would make him or her
5 ineligible for a permit under subsection (a) of this Section.
6 The written notification shall be made within 5 days of the
7 entry of the conviction. Failure of the permit holder to
8 provide the notification is punishable as a petty offense for a
9 first violation and a Class B misdemeanor for a second or
10 subsequent violation.

11 (g) Cancellation; suspension; notice and procedure.

12 (1) The Secretary of State shall cancel a school bus
13 driver permit of an applicant whose criminal background
14 investigation discloses that he or she is not in compliance
15 with the provisions of subsection (a) of this Section.

16 (2) The Secretary of State shall cancel a school bus
17 driver permit when he or she receives notice that the
18 permit holder fails to comply with any provision of this
19 Section or any rule promulgated for the administration of
20 this Section.

21 (3) The Secretary of State shall cancel a school bus
22 driver permit if the permit holder's restricted commercial
23 or commercial driving privileges are withdrawn or
24 otherwise invalidated.

25 (4) The Secretary of State may not issue a school bus
26 driver permit for a period of 3 years to an applicant who

1 fails to obtain a negative result on a drug test as
2 required in item 6 of subsection (a) of this Section or
3 under federal law.

4 (5) The Secretary of State shall forthwith suspend a
5 school bus driver permit for a period of 3 years upon
6 receiving notice that the holder has failed to obtain a
7 negative result on a drug test as required in item 6 of
8 subsection (a) of this Section or under federal law.

9 (6) The Secretary of State shall suspend a school bus
10 driver permit for a period of 3 years upon receiving notice
11 from the employer that the holder failed to perform the
12 inspection procedure set forth in subsection (a) or (b) of
13 Section 12-816 of this Code.

14 The Secretary of State shall notify the State
15 Superintendent of Education and the permit holder's
16 prospective or current employer that the applicant has (1) has
17 failed a criminal background investigation or (2) is no longer
18 eligible for a school bus driver permit; and of the related
19 cancellation of the applicant's provisional school bus driver
20 permit. The cancellation shall remain in effect pending the
21 outcome of a hearing pursuant to Section 2-118 of this Code.
22 The scope of the hearing shall be limited to the issuance
23 criteria contained in subsection (a) of this Section. A
24 petition requesting a hearing shall be submitted to the
25 Secretary of State and shall contain the reason the individual
26 feels he or she is entitled to a school bus driver permit. The

1 permit holder's employer shall notify in writing to the
2 Secretary of State that the employer has certified the removal
3 of the offending school bus driver from service prior to the
4 start of that school bus driver's next workshift. An employing
5 school board that fails to remove the offending school bus
6 driver from service is subject to the penalties defined in
7 Section 3-14.23 of the School Code. A school bus contractor who
8 violates a provision of this Section is subject to the
9 penalties defined in Section 6-106.11.

10 All valid school bus driver permits issued under this
11 Section prior to January 1, 1995, shall remain effective until
12 their expiration date unless otherwise invalidated.

13 (h) When a school bus driver permit holder who is a service
14 member is called to active duty, the employer of the permit
15 holder shall notify the Secretary of State, within 30 days of
16 notification from the permit holder, that the permit holder has
17 been called to active duty. Upon notification pursuant to this
18 subsection, (i) the Secretary of State shall characterize the
19 permit as inactive until a permit holder renews the permit as
20 provided in subsection (i) of this Section, and (ii) if a
21 permit holder fails to comply with the requirements of this
22 Section while called to active duty, the Secretary of State
23 shall not characterize the permit as invalid.

24 (i) A school bus driver permit holder who is a service
25 member returning from active duty must, within 90 days, renew a
26 permit characterized as inactive pursuant to subsection (h) of

1 this Section by complying with the renewal requirements of
2 subsection (b) of this Section.

3 (j) For purposes of subsections (h) and (i) of this
4 Section:

5 "Active duty" means active duty pursuant to an executive
6 order of the President of the United States, an act of the
7 Congress of the United States, or an order of the Governor.

8 "Service member" means a member of the Armed Services or
9 reserve forces of the United States or a member of the Illinois
10 National Guard.

11 (Source: P.A. 96-89, eff. 7-27-09; 96-818, eff. 11-17-09;
12 revised 12-1-09.)

13 (625 ILCS 5/6-202) (from Ch. 95 1/2, par. 6-202)

14 Sec. 6-202. Non-residents and Unlicensed
15 Persons-Revocation and Suspension-Reporting Convictions.

16 (a) The privilege of driving a motor vehicle on highways of
17 this State given to a nonresident hereunder and the privilege
18 which an unlicensed person might have to obtain a license under
19 this Act shall be subject to suspension or revocation by the
20 Secretary of State in like manner and for like cause as a
21 drivers license issued hereunder may be suspended or revoked.

22 (b) The Secretary of State is authorized, upon receiving a
23 report of the conviction in this State of a nonresident driver
24 of a motor vehicle of any offense under the laws of this State
25 relating to operation, custody or ownership of motor vehicles,

1 to forward a copy or abstract of such report to the motor
2 vehicle administrator of the State wherein the person so
3 convicted is a resident.

4 (c) (Blank.) ~~When a nonresident's operating privilege is~~
5 ~~suspended or revoked, the Secretary of State shall forward a~~
6 ~~certified copy of the record of such action to the motor~~
7 ~~vehicle administrator in the State where such person resides.~~

8 (d) This section is subject to the provisions of the Driver
9 License Compact.

10 (Source: P.A. 76-1752.)

11 (625 ILCS 5/Ch. 6 Art. IV heading)

12 ARTICLE IV. COMMERCIAL DRIVER ~~EXAM~~ TRAINING SCHOOLS

13 (Source: P.A. 96-740, eff. 1-1-10.)

14 (625 ILCS 5/6-401) (from Ch. 95 1/2, par. 6-401)

15 Sec. 6-401. Driver ~~exam~~ training schools ~~for preparation~~
16 ~~for examination given by Secretary of State~~-license required.
17 No person, firm, association, partnership or corporation shall
18 operate a driver ~~exam~~ training school or engage in the business
19 of giving instruction for hire or for a fee in the driving of
20 motor vehicles for the preparation of an applicant for
21 examination given by the Secretary of State for a drivers
22 license or permit, unless a license therefor has been issued by
23 the Secretary. No public schools or educational institutions
24 shall contract with entities engaged in the business of giving

1 instruction for hire or for a fee in the driving of motor
2 vehicles for the preparation of an applicant for examination
3 given by the Secretary of State for a driver's license or
4 permit, unless a license therefor has been issued by the
5 Secretary.

6 This Section shall not apply to (i) public schools or to
7 educational institutions in which driving instruction is part
8 of the curriculum, (ii) employers giving instruction to their
9 employees, or (iii) schools that teach enhanced driving skills
10 to licensed drivers as set forth in Article X of Chapter 6 of
11 this Code.

12 (Source: P.A. 96-740, eff. 1-1-10.)

13 (625 ILCS 5/6-402) (from Ch. 95 1/2, par. 6-402)

14 Sec. 6-402. Qualifications of driver ~~exam~~ training
15 schools. In order to qualify for a license to operate a driver
16 ~~exam~~ training school, each applicant must:

17 (a) be of good moral character;

18 (b) be at least 21 years of age;

19 (c) maintain an established place of business open to
20 the public which meets the requirements of Section 6-403
21 through 6-407;

22 (d) maintain bodily injury and property damage
23 liability insurance on motor vehicles while used in driving
24 ~~exam~~ instruction, insuring the liability of the driving
25 school, the driving instructors and any person taking

1 instruction in at least the following amounts: \$50,000 for
2 bodily injury to or death of one person in any one accident
3 and, subject to said limit for one person, \$100,000 for
4 bodily injury to or death of 2 or more persons in any one
5 accident and the amount of \$10,000 for damage to property
6 of others in any one accident. Evidence of such insurance
7 coverage in the form of a certificate from the insurance
8 carrier shall be filed with the Secretary of State, and
9 such certificate shall stipulate that the insurance shall
10 not be cancelled except upon 10 days prior written notice
11 to the Secretary of State. The decal showing evidence of
12 insurance shall be affixed to the windshield of the
13 vehicle;

14 (e) provide a continuous surety company bond in the
15 principal sum of \$20,000 for the protection of the
16 contractual rights of students in such form as will meet
17 with the approval of the Secretary of State and written by
18 a company authorized to do business in this State. However,
19 the aggregate liability of the surety for all breaches of
20 the condition of the bond in no event shall exceed the
21 principal sum of \$20,000. The surety on any such bond may
22 cancel such bond on giving 30 days notice thereof in
23 writing to the Secretary of State and shall be relieved of
24 liability for any breach of any conditions of the bond
25 which occurs after the effective date of cancellation;

26 (f) have the equipment necessary to the giving of

1 proper instruction in the operation of motor vehicles;

2 (g) have and use a business telephone listing for all
3 business purposes;

4 (h) pay to the Secretary of State an application fee of
5 \$500 and \$50 for each branch application; and

6 (i) authorize an investigation to include a
7 fingerprint based background check to determine if the
8 applicant has ever been convicted of a crime and if so, the
9 disposition of those convictions. The authorization shall
10 indicate the scope of the inquiry and the agencies that may
11 be contacted. Upon this authorization, the Secretary of
12 State may request and receive information and assistance
13 from any federal, State, or local governmental agency as
14 part of the authorized investigation. Each applicant shall
15 have his or her fingerprints submitted to the Department of
16 State Police in the form and manner prescribed by the
17 Department of State Police. The fingerprints shall be
18 checked against the Department of State Police and Federal
19 Bureau of Investigation criminal history record
20 information databases. The Department of State Police
21 shall charge a fee for conducting the criminal history
22 records check, which shall be deposited in the State Police
23 Services Fund and shall not exceed the actual cost of the
24 records check. The applicant shall be required to pay all
25 related fingerprint fees including, but not limited to, the
26 amounts established by the Department of State Police and

1 the Federal Bureau of Investigation to process fingerprint
2 based criminal background investigations. The Department
3 of State Police shall provide information concerning any
4 criminal convictions and disposition of criminal
5 convictions brought against the applicant upon request of
6 the Secretary of State provided that the request is made in
7 the form and manner required by the Department of the State
8 Police. Unless otherwise prohibited by law, the
9 information derived from the investigation including the
10 source of the information and any conclusions or
11 recommendations derived from the information by the
12 Secretary of State shall be provided to the applicant, or
13 his designee, upon request to the Secretary of State, prior
14 to any final action by the Secretary of State on the
15 application. Any criminal convictions and disposition
16 information obtained by the Secretary of State shall be
17 confidential and may not be transmitted outside the Office
18 of the Secretary of State, except as required herein, and
19 may not be transmitted to anyone within the Office of the
20 Secretary of State except as needed for the purpose of
21 evaluating the applicant. The information obtained from
22 the investigation may be maintained by the Secretary of
23 State or any agency to which the information was
24 transmitted. Only information and standards, which bear a
25 reasonable and rational relation to the performance of a
26 driver ~~exam~~ training school owner, shall be used by the

1 Secretary of State. Any employee of the Secretary of State
2 who gives or causes to be given away any confidential
3 information concerning any criminal charges or disposition
4 of criminal charges of an applicant shall be guilty of a
5 Class A misdemeanor, unless release of the information is
6 authorized by this Section.

7 No license shall be issued under this Section to a person
8 who is a spouse, offspring, sibling, parent, grandparent,
9 grandchild, uncle or aunt, nephew or niece, cousin, or in-law
10 of the person whose license to do business at that location has
11 been revoked or denied or to a person who was an officer or
12 employee of a business firm that has had its license revoked or
13 denied, unless the Secretary of State is satisfied the
14 application was submitted in good faith and not for the purpose
15 or effect of defeating the intent of this Code.

16 (Source: P.A. 96-740, eff. 1-1-10.)

17 (625 ILCS 5/6-403) (from Ch. 95 1/2, par. 6-403)

18 Sec. 6-403. Established Place of Business. The established
19 place of business of each driver ~~exam~~ training school must be
20 owned or leased by the driver ~~exam~~ training school and
21 regularly occupied and primarily used by that driver ~~exam~~
22 training school for the business of selling and giving driving
23 instructions for hire or for a fee, and the business of
24 preparing members of the public for examination given by the
25 Secretary of State for a drivers license.

1 (Source: P.A. 96-740, eff. 1-1-10.)

2 (625 ILCS 5/6-404) (from Ch. 95 1/2, par. 6-404)

3 Sec. 6-404. Location of Schools. The established place of
4 business of each driver ~~exam~~ training school must be located in
5 a district which is zoned for business or commercial purposes.
6 The driver ~~exam~~ training school office must have a permanent
7 sign clearly readable from the street, from a distance of no
8 less than 100 feet, with the name of the driving ~~exam~~ school
9 upon it.

10 (Source: P.A. 96-740, eff. 1-1-10.)

11 (625 ILCS 5/6-405) (from Ch. 95 1/2, par. 6-405)

12 Sec. 6-405. Restrictions of Locations. The established
13 place of business, or branch office, branch class room or
14 advertised address of any driver ~~exam~~ training school shall not
15 consist of or include a house trailer, residence, tent,
16 temporary stand, temporary address, office space, a room or
17 rooms in a hotel, rooming house or apartment house, or premises
18 occupied by a single or multiple unit dwelling house or
19 telephone answering service.

20 (Source: P.A. 96-740, eff. 1-1-10.)

21 (625 ILCS 5/6-406) (from Ch. 95 1/2, par. 6-406)

22 Sec. 6-406. Required Facilities.

23 (a) The established place of business of each driver ~~exam~~

1 training school must consist of at least the following
2 permanent facilities:

3 (1) An office facility;

4 (2) A class room facility.

5 (b) The main class room facility of each driver ~~exam~~
6 training school must be reasonably accessible to the main
7 office facility of the driver ~~exam~~ training school.

8 (c) All class room facilities must have adequate lighting,
9 heating, ventilation, and must comply with all state, and local
10 laws relating to public health, safety and sanitation.

11 (d) The main office facility and branch office facility of
12 each driver ~~exam~~ training school must contain sufficient space,
13 equipment, records and personnel to carry on the business of
14 the driver ~~exam~~ training school. The main office facility must
15 be specifically devoted to driver ~~exam~~ training school
16 business.

17 (e) A driver ~~exam~~ training school which as an established
18 place of business and a main office facility, may operate a
19 branch office or a branch class room provided that all the
20 requirements for the main office or main class room are met and
21 that such branch office bears the same name and is operated as
22 a part of the same business entity as the main office facility.

23 (f) No driver ~~exam~~ training school may share any main or
24 branch facility or facilities with any other driver ~~exam~~
25 training school.

26 (Source: P.A. 96-740, eff. 1-1-10.)

1 (625 ILCS 5/6-407) (from Ch. 95 1/2, par. 6-407)

2 Sec. 6-407. Locations and State Facilities. No office or
3 place of business of a driver ~~exam~~ training school shall be
4 established within 1,500 feet of any building used as an office
5 by any department of the Secretary of State having to do with
6 the administration of any laws relating to motor vehicles, nor
7 may any driving school solicit or advertise for business within
8 1,500 feet of any building used as an office by the Secretary
9 of State having to do with the administration of any laws
10 relating to motor vehicles.

11 (Source: P.A. 96-740, eff. 1-1-10.)

12 (625 ILCS 5/6-408) (from Ch. 95 1/2, par. 6-408)

13 Sec. 6-408. Records. All driver ~~exam~~ training schools
14 licensed by the Secretary of State must maintain a permanent
15 record of instructions given to each student. The record must
16 contain the name of the school and the name of the student, the
17 number of all licenses or permits held by the student, the type
18 and date of instruction given, whether class room or behind the
19 wheel, and the signature of the instructor.

20 All permanent student instruction records must be kept on
21 file in the main office of each driver ~~exam~~ training school for
22 a period of 3 calendar years after the student has ceased
23 taking instruction at or with the school.

24 The records should show the fees and charges of the school

1 and also the record should show the course content and
2 instructions given to each student.

3 (Source: P.A. 96-740, eff. 1-1-10.)

4 (625 ILCS 5/6-408.5)

5 Sec. 6-408.5. Courses for students or high school dropouts;
6 limitation.

7 (a) No driver ~~exam~~ training school or driving ~~exam~~ training
8 instructor licensed under this Act may request a certificate of
9 completion from the Secretary of State as provided in Section
10 6-411 for any person who is enrolled as a student in any public
11 or non-public secondary school at the time such instruction is
12 to be provided, or who was so enrolled during the semester last
13 ended if that instruction is to be provided between semesters
14 or during the summer after the regular school term ends, unless
15 that student has received a passing grade in at least 8 courses
16 during the 2 semesters last ending prior to requesting a
17 certificate of completion from the Secretary of State for the
18 student.

19 (b) No driver ~~exam~~ training school or driving ~~exam~~ training
20 instructor licensed under this Act may request a certificate of
21 completion from the Secretary of State as provided in Section
22 6-411 for any person who has dropped out of school and has not
23 yet attained the age of 18 years unless the driver ~~exam~~
24 training school or driving ~~exam~~ training instructor has: 1)
25 obtained written documentation verifying the dropout's

1 enrollment in a GED or alternative education program or has
2 obtained a copy of the dropout's GED certificate; 2) obtained
3 verification that the student prior to dropping out had
4 received a passing grade in at least 8 courses during the 2
5 previous semesters last ending prior to requesting a
6 certificate of completion; or 3) obtained written consent from
7 the dropout's parents or guardians and the regional
8 superintendent.

9 (c) Students shall be informed of the eligibility
10 requirements of this Act in writing at the time of
11 registration.

12 (d) The superintendent of schools of the school district in
13 which the student resides and attends school or in which the
14 student resides at the time he or she drops out of school (with
15 respect to a public high school student or a dropout from the
16 public high school) or the chief school administrator (with
17 respect to a student who attends a non-public high school or a
18 dropout from a non-public high school) may waive the
19 requirements of this Section if the superintendent or chief
20 school administrator, as the case may be, deems it to be in the
21 best interests of the student or dropout. Before requesting a
22 certificate of completion from the Secretary of State for any
23 person who is enrolled as a student in any public or non-public
24 secondary school or who was so enrolled in the semester last
25 ending prior to the request for a certificate of completion
26 from the Secretary of State or who is of high school age, the

1 driver ~~exam~~ training school shall determine from the school
2 district in which that person resides or resided at the time of
3 dropping out of school, or from the chief administrator of the
4 non-public high school attended or last attended by such
5 person, as the case may be, that such person is not ineligible
6 to receive a certificate of completion under this Section.

7 (Source: P.A. 96-740, eff. 1-1-10.)

8 (625 ILCS 5/6-409) (from Ch. 95 1/2, par. 6-409)

9 Sec. 6-409. Display of License. Each driver ~~exam~~ training
10 school must display at a prominent place in its main office all
11 of the following:

12 (a) The State license issued to the school;

13 (b) The names and addresses and State instructors licenses
14 of all instructors employed by the school;

15 (c) The address of all branch offices and branch class
16 rooms.

17 (Source: P.A. 96-740, eff. 1-1-10.)

18 (625 ILCS 5/6-410) (from Ch. 95 1/2, par. 6-410)

19 Sec. 6-410. Vehicle inspections. The Department of
20 Transportation shall provide for the inspection of all motor
21 vehicles used for driver ~~exam~~ training, and shall issue a
22 safety inspection sticker provided:

23 (a) The motor vehicle has been inspected by the Department
24 and found to be in safe mechanical condition;

1 (b) The motor vehicle is equipped with dual control brakes
2 and a mirror on each side of the motor vehicle so located as to
3 reflect to the driver a view of the highway for a distance of
4 at least 200 feet to the rear of such motor vehicle; and

5 (c) The motor vehicle is equipped with a sign or signs
6 visible from the front and the rear in letters no less than 2
7 inches tall, listing the full name of the driver ~~exam~~ training
8 school which has registered and insured the motor vehicle.

9 (Source: P.A. 96-740, eff. 1-1-10.)

10 (625 ILCS 5/6-411) (from Ch. 95 1/2, par. 6-411)

11 Sec. 6-411. Qualifications of Driver ~~Exam~~ Training
12 Instructors. In order to qualify for a license as an instructor
13 for a driving ~~exam~~ school, an applicant must:

14 (a) Be of good moral character;

15 (b) Authorize an investigation to include a
16 fingerprint based background check to determine if the
17 applicant has ever been convicted of a crime and if so, the
18 disposition of those convictions; this authorization shall
19 indicate the scope of the inquiry and the agencies which
20 may be contacted. Upon this authorization the Secretary of
21 State may request and receive information and assistance
22 from any federal, state or local governmental agency as
23 part of the authorized investigation. Each applicant shall
24 submit his or her fingerprints to the Department of State
25 Police in the form and manner prescribed by the Department

1 of State Police. These fingerprints shall be checked
2 against the fingerprint records now and hereafter filed in
3 the Department of State Police and Federal Bureau of
4 Investigation criminal history records databases. The
5 Department of State Police shall charge a fee for
6 conducting the criminal history records check, which shall
7 be deposited in the State Police Services Fund and shall
8 not exceed the actual cost of the records check. The
9 applicant shall be required to pay all related fingerprint
10 fees including, but not limited to, the amounts established
11 by the Department of State Police and the Federal Bureau of
12 Investigation to process fingerprint based criminal
13 background investigations. The Department of State Police
14 shall provide information concerning any criminal
15 convictions, and their disposition, brought against the
16 applicant upon request of the Secretary of State when the
17 request is made in the form and manner required by the
18 Department of State Police. Unless otherwise prohibited by
19 law, the information derived from this investigation
20 including the source of this information, and any
21 conclusions or recommendations derived from this
22 information by the Secretary of State shall be provided to
23 the applicant, or his designee, upon request to the
24 Secretary of State, prior to any final action by the
25 Secretary of State on the application. Any criminal
26 convictions and their disposition information obtained by

1 the Secretary of State shall be confidential and may not be
2 transmitted outside the Office of the Secretary of State,
3 except as required herein, and may not be transmitted to
4 anyone within the Office of the Secretary of State except
5 as needed for the purpose of evaluating the applicant. The
6 information obtained from this investigation may be
7 maintained by the Secretary of State or any agency to which
8 such information was transmitted. Only information and
9 standards which bear a reasonable and rational relation to
10 the performance of a driver ~~exam~~ training instructor shall
11 be used by the Secretary of State. Any employee of the
12 Secretary of State who gives or causes to be given away any
13 confidential information concerning any criminal charges
14 and their disposition of an applicant shall be guilty of a
15 Class A misdemeanor unless release of such information is
16 authorized by this Section;

17 (c) Pass such examination as the Secretary of State
18 shall require on (1) traffic laws, (2) safe driving
19 practices, (3) operation of motor vehicles, and (4)
20 qualifications of teacher;

21 (d) Be physically able to operate safely a motor
22 vehicle and to train others in the operation of motor
23 vehicles. An instructors license application must be
24 accompanied by a medical examination report completed by a
25 competent physician licensed to practice in the State of
26 Illinois;

1 (e) Hold a valid Illinois drivers license;

2 (f) Have graduated from an accredited high school after
3 at least 4 years of high school education or the
4 equivalent; and

5 (g) Pay to the Secretary of State an application and
6 license fee of \$70.

7 If a driver ~~exam~~ training school class room instructor
8 teaches an approved driver education course, as defined in
9 Section 1-103 of this Code, to students under 18 years of age,
10 he or she shall furnish to the Secretary of State a certificate
11 issued by the State Board of Education that the said instructor
12 is qualified and meets the minimum educational standards for
13 teaching driver education courses in the local public or
14 parochial school systems, except that no State Board of
15 Education certification shall be required of any instructor who
16 teaches exclusively in a commercial driving school. On and
17 after July 1, 1986, the existing rules and regulations of the
18 State Board of Education concerning commercial driving schools
19 shall continue to remain in effect but shall be administered by
20 the Secretary of State until such time as the Secretary of
21 State shall amend or repeal the rules in accordance with the
22 Illinois Administrative Procedure Act. Upon request, the
23 Secretary of State shall issue a certificate of completion to a
24 student under 18 years of age who has completed an approved
25 driver education course at a commercial driving school.

26 (Source: P.A. 95-331, eff. 8-21-07; 96-740, eff. 1-1-10.)

1 (625 ILCS 5/6-412) (from Ch. 95 1/2, par. 6-412)

2 Sec. 6-412. Issuance of Licenses to Driver ~~Exam~~ Training
3 Schools and Driver ~~Exam~~ Training Instructors. The Secretary of
4 State shall issue a license certificate to each applicant to
5 conduct a driver ~~exam~~ training school or to each driver ~~exam~~
6 training instructor when the Secretary of State is satisfied
7 that such person has met the qualifications required under this
8 Act.

9 (Source: P.A. 96-740, eff. 1-1-10.)

10 (625 ILCS 5/6-413) (from Ch. 95 1/2, par. 6-413)

11 Sec. 6-413. Expiration of Licenses. All outstanding
12 licenses issued to any driver ~~exam~~ training school or driver
13 ~~exam~~ training instructor under this Act shall expire by
14 operation of law 24 months from the date of issuance, unless
15 sooner cancelled, suspended or revoked under the provisions of
16 Section 6-420.

17 (Source: P.A. 96-740, eff. 1-1-10.)

18 (625 ILCS 5/6-414) (from Ch. 95 1/2, par. 6-414)

19 Sec. 6-414. Renewal of Licenses. The license of each driver
20 ~~exam~~ training school may be renewed subject to the same
21 conditions as the original license, and upon the payment of a
22 renewal license fee of \$500 and \$50 for each renewal of a
23 branch application.

1 (Source: P.A. 96-740, eff. 1-1-10.)

2 (625 ILCS 5/6-415) (from Ch. 95 1/2, par. 6-415)

3 Sec. 6-415. Renewal Fee. The license of each driver ~~exam~~
4 training instructor may be renewed subject to the same
5 conditions of the original license, and upon the payment of
6 annual renewal license fee of \$70.

7 (Source: P.A. 96-740, eff. 1-1-10.)

8 (625 ILCS 5/6-416) (from Ch. 95 1/2, par. 6-416)

9 Sec. 6-416. Licenses: Form and Filing. All applications for
10 renewal of a driver ~~exam~~ training school license or driver ~~exam~~
11 training instructor's license shall be on a form prescribed by
12 the Secretary, and must be filed with the Secretary not less
13 than 15 days preceding the expiration date of the license to be
14 renewed.

15 (Source: P.A. 96-740, eff. 1-1-10.)

16 (625 ILCS 5/6-417) (from Ch. 95 1/2, par. 6-417)

17 Sec. 6-417. Instructor's license. Each driver ~~exam~~
18 training instructor's license shall authorize the licensee to
19 instruct only at or for the driver ~~exam~~ training school
20 indicated on the license. The Secretary shall not issue a
21 driver training instructor's license to any individual who is
22 licensed to instruct at or for another driver ~~exam~~ training
23 school.

1 (Source: P.A. 96-740, eff. 1-1-10.)

2 (625 ILCS 5/6-419) (from Ch. 95 1/2, par. 6-419)

3 Sec. 6-419. Rules and Regulations. The Secretary is
4 authorized to prescribe by rule standards for the eligibility,
5 conduct and operation of driver ~~exam~~ training schools, and
6 instructors and to adopt other reasonable rules and regulations
7 necessary to carry out the provisions of this Act.

8 (Source: P.A. 96-740, eff. 1-1-10.)

9 (625 ILCS 5/6-420) (from Ch. 95 1/2, par. 6-420)

10 Sec. 6-420. Denial, Cancellation, Suspension, Revocation
11 and Failure to Renew License. The Secretary may deny, cancel,
12 suspend or revoke, or refuse to renew any driver ~~exam~~ training
13 school license or any driver ~~exam~~ training instructor license:

14 (1) When the Secretary is satisfied that the licensee
15 fails to meet the requirements to receive or hold a license
16 under this Code;

17 (2) Whenever the licensee fails to keep the records
18 required by this Code;

19 (3) Whenever the licensee permits fraud or engages in
20 fraudulent practices either with reference to a student or
21 the Secretary, or induces or countenances fraud or
22 fraudulent practices on the part of any applicant for a
23 driver's license or permit;

24 (4) Whenever the licensee fails to comply with any

1 provision of this Code or any rule of the Secretary made
2 pursuant thereto;

3 (5) Whenever the licensee represents himself as an
4 agent or employee of the Secretary or uses advertising
5 designed to lead or which would reasonably have the effect
6 of leading persons to believe that such licensee is in fact
7 an employee or representative of the Secretary;

8 (6) Whenever the licensee or any employee or agent of
9 the licensee solicits driver training or instruction in an
10 office of any department of the Secretary of State having
11 to do with the administration of any law relating to motor
12 vehicles, or within 1,500 feet of any such office;

13 (7) Whenever the licensee is convicted of driving while
14 under the influence of alcohol, other drugs, or a
15 combination thereof; leaving the scene of an accident;
16 reckless homicide or reckless driving; or

17 (8) Whenever a driver ~~exam~~ training school advertises
18 that a driver's license is guaranteed upon completion of
19 the course of instruction.

20 (Source: P.A. 96-740, eff. 1-1-10.)

21 (625 ILCS 5/6-422) (from Ch. 95 1/2, par. 6-422)

22 Sec. 6-422. Prior law and licenses thereunder. This Act
23 shall not affect the validity of any outstanding license issued
24 to any driver ~~exam~~ training school or driver ~~exam~~ training
25 instructor by the Secretary of State under any prior law, nor

1 shall this Act affect the validity or legality of any contract,
2 agreement or undertaking entered into by any driver ~~exam~~
3 training school or driver ~~exam~~ training instructor, or any
4 person, firm, corporation, partnership or association based on
5 those provisions of any prior law.

6 (Source: P.A. 96-740, eff. 1-1-10.)

7 (625 ILCS 5/6-901) (from Ch. 95 1/2, par. 6-901)

8 Sec. 6-901. Definitions. For the purposes of this Article:

9 "Board" means the Driver's License Medical Advisory Board.

10 "Medical examiner" or "medical practitioner" means any
11 person licensed to practice medicine in all its branches in the
12 State of Illinois or any other state.

13 (Source: P.A. 92-703, eff. 7-19-02.)

14 (625 ILCS 5/11-1301.3) (from Ch. 95 1/2, par. 11-1301.3)

15 Sec. 11-1301.3. Unauthorized use of parking places
16 reserved for persons with disabilities.

17 (a) It shall be prohibited to park any motor vehicle which
18 is not properly displaying registration plates or decals issued
19 to a person with disabilities, as defined by Section 1-159.1,
20 pursuant to Sections 3-616, 11-1301.1 or 11-1301.2, or to a
21 disabled veteran pursuant to Section 3-609 of this Act, as
22 evidence that the vehicle is operated by or for a person with
23 disabilities or disabled veteran, in any parking place,
24 including any private or public offstreet parking facility,

1 specifically reserved, by the posting of an official sign as
2 designated under Section 11-301, for motor vehicles displaying
3 such registration plates. It shall be prohibited to park any
4 motor vehicle in a designated access aisle adjacent to any
5 parking place specifically reserved for persons with
6 disabilities, by the posting of an official sign as designated
7 under Section 11-301, for motor vehicles displaying such
8 registration plates. When using the parking privileges for
9 persons with disabilities, the parking decal or device must be
10 displayed properly in the vehicle where it is clearly visible
11 to law enforcement personnel, either hanging from the rearview
12 mirror or placed on the dashboard of the vehicle in clear view.
13 Disability license plates and parking decals and devices are
14 not transferable from person to person. Proper usage of the
15 disability license plate or parking decal or device requires
16 the authorized holder to be present and enter or exit the
17 vehicle at the time the parking privileges are being used. It
18 is a violation of this Section to park in a space reserved for
19 a person with disabilities if the authorized holder of the
20 disability license plate or parking decal or device does not
21 enter or exit the vehicle at the time the parking privileges
22 are being used. Any motor vehicle properly displaying a
23 disability license plate or a parking decal or device
24 containing the International symbol of access issued to persons
25 with disabilities by any local authority, state, district,
26 territory or foreign country shall be recognized by State and

1 local authorities as a valid license plate or device and
2 receive the same parking privileges as residents of this State.

3 (a-1) An individual with a vehicle displaying disability
4 license plates or a parking decal or device issued to a
5 qualified person with a disability under Sections 3-616,
6 11-1301.1, or 11-1301.2 or to a disabled veteran under Section
7 3-609 is in violation of this Section if (i) the person using
8 the disability license plate or parking decal or device is not
9 the authorized holder of the disability license plate or
10 parking decal or device or is not transporting the authorized
11 holder of the disability license plate or parking decal or
12 device to or from the parking location and (ii) the person uses
13 the disability license plate or parking decal or device to
14 exercise any privileges granted through the disability license
15 plate or parking decals or devices under this Code.

16 (b) Any person or local authority owning or operating any
17 public or private offstreet parking facility may, after
18 notifying the police or sheriff's department, remove or cause
19 to be removed to the nearest garage or other place of safety
20 any vehicle parked within a stall or space reserved for use by
21 a person with disabilities which does not display person with
22 disabilities registration plates or a special decal or device
23 as required under this Section.

24 (c) Any person found guilty of violating the provisions of
25 subsection (a) shall be fined \$250 in addition to any costs or
26 charges connected with the removal or storage of any motor

1 vehicle authorized under this Section; but municipalities by
2 ordinance may impose a fine up to \$350 and shall display signs
3 indicating the fine imposed. If the amount of the fine is
4 subsequently changed, the municipality shall change the sign to
5 indicate the current amount of the fine. It shall not be a
6 defense to a charge under this Section that either the sign
7 posted pursuant to this Section or the intended accessible
8 parking place does not comply with the technical requirements
9 of Section 11-301, Department regulations, or local ordinance
10 if a reasonable person would be made aware by the sign or
11 notice on or near the parking place that the place is reserved
12 for a person with disabilities.

13 (c-1) Any person found guilty of violating the provisions
14 of subsection (a-1) a first time shall be fined \$500. Any
15 person found guilty of violating subsection (a-1) a second time
16 shall be fined \$750, ~~and the Secretary of State may revoke the~~
17 ~~person's driving privileges or suspend those privileges for a~~
18 ~~period of time to be determined by the Secretary.~~ Any person
19 found guilty of violating subsection (a-1) a third or
20 subsequent time shall be fined \$1,000. The circuit clerk shall
21 distribute 50% of the fine imposed on any person who is found
22 guilty of or pleads guilty to violating this Section, including
23 any person placed on court supervision for violating this
24 Section, to the law enforcement agency that issued the citation
25 or made the arrest. If more than one law enforcement agency is
26 responsible for issuing the citation or making the arrest, the

1 50% of the fine imposed shall be shared equally. If an officer
2 of the Secretary of State Department of Police arrested a
3 person for a violation of this Section, 50% of the fine imposed
4 shall be deposited into the Secretary of State Police Services
5 Fund.

6 (d) Local authorities shall impose fines as established in
7 subsections (c) and (c-1) for violations of this Section.

8 (e) As used in this Section, "authorized holder" means an
9 individual issued a disability license plate under Section
10 3-616 of this Code, an individual issued a parking decal or
11 device under Section 11-1301.2 of this Code, or an individual
12 issued a disabled veteran's license plate under Section 3-609
13 of this Code.

14 (f) Any person who commits a violation of subsection (a-1)
15 may have his or her driving privileges suspended or revoked by
16 the Secretary of State for a period of time determined by the
17 Secretary of State. The Secretary of State may also suspend or
18 revoke the disability license plates or parking decal or device
19 for a period of time determined by the Secretary of State.

20 (g) Any police officer may seize the parking decal or
21 device from any person who commits a violation of this Section.
22 Any police officer may seize the disability license plate upon
23 authorization from the Secretary of State. Any police officer
24 may request that the Secretary of State revoke the parking
25 decal or device or the disability license plate of any person
26 who commits a violation of this Section.

1 (Source: P.A. 95-167, eff. 1-1-08; 95-430, eff. 6-1-08; 95-876,
2 eff. 8-21-08; 96-72, eff. 1-1-10; 96-79, eff. 1-1-10; revised
3 8-20-09.)

4 Section 10. The Criminal Code of 1961 is amended by
5 changing Section 33-6 as follows:

6 (720 ILCS 5/33-6)

7 Sec. 33-6. Bribery to obtain driving privileges.

8 (a) A person commits the offense of bribery to obtain
9 driving privileges when:

10 (1) with intent to influence any act related to the
11 issuance of any driver's license or permit by an employee
12 of the Illinois Secretary of State's Office, or the owner
13 or employee of any commercial driver ~~exam~~ training school
14 licensed by the Illinois Secretary of State, or any other
15 individual authorized by the laws of this State to give
16 driving instructions or administer all or part of a
17 driver's license examination, he or she promises or tenders
18 to that person any property or personal advantage which
19 that person is not authorized by law to accept; or

20 (2) with intent to cause any person to influence any
21 act related to the issuance of any driver's license or
22 permit by an employee of the Illinois Secretary of State's
23 Office, or the owner or employee of any commercial driver
24 ~~exam~~ training school licensed by the Illinois Secretary of

1 State, or any other individual authorized by the laws of
2 this State to give driving instructions or administer all
3 or part of a driver's license examination, he or she
4 promises or tenders to that person any property or personal
5 advantage which that person is not authorized by law to
6 accept; or

7 (3) as an employee of the Illinois Secretary of State's
8 Office, or the owner or employee of any commercial driver
9 ~~exam~~ training school licensed by the Illinois Secretary of
10 State, or any other individual authorized by the laws of
11 this State to give driving instructions or administer all
12 or part of a driver's license examination, solicits,
13 receives, retains, or agrees to accept any property or
14 personal advantage that he or she is not authorized by law
15 to accept knowing that such property or personal advantage
16 was promised or tendered with intent to influence the
17 performance of any act related to the issuance of any
18 driver's license or permit; or

19 (4) as an employee of the Illinois Secretary of State's
20 Office, or the owner or employee of any commercial driver
21 ~~exam~~ training school licensed by the Illinois Secretary of
22 State, or any other individual authorized by the laws of
23 this State to give driving instructions or administer all
24 or part of a driver's license examination, solicits,
25 receives, retains, or agrees to accept any property or
26 personal advantage pursuant to an understanding that he or

1 she shall improperly influence or attempt to influence the
2 performance of any act related to the issuance of any
3 driver's license or permit.

4 (b) Sentence. Bribery to obtain driving privileges is a
5 Class 2 felony.

6 (Source: P.A. 96-740, eff. 1-1-10.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.

1

INDEX

2

Statutes amended in order of appearance

3	625 ILCS 5/6-103	from Ch. 95 1/2, par. 6-103
4	625 ILCS 5/6-106.1	from Ch. 95 1/2, par. 6-106.1
5	625 ILCS 5/6-202	from Ch. 95 1/2, par. 6-202
6	625 ILCS 5/Ch. 6 Art. IV	
7	heading	
8	625 ILCS 5/6-401	from Ch. 95 1/2, par. 6-401
9	625 ILCS 5/6-402	from Ch. 95 1/2, par. 6-402
10	625 ILCS 5/6-403	from Ch. 95 1/2, par. 6-403
11	625 ILCS 5/6-404	from Ch. 95 1/2, par. 6-404
12	625 ILCS 5/6-405	from Ch. 95 1/2, par. 6-405
13	625 ILCS 5/6-406	from Ch. 95 1/2, par. 6-406
14	625 ILCS 5/6-407	from Ch. 95 1/2, par. 6-407
15	625 ILCS 5/6-408	from Ch. 95 1/2, par. 6-408
16	625 ILCS 5/6-408.5	
17	625 ILCS 5/6-409	from Ch. 95 1/2, par. 6-409
18	625 ILCS 5/6-410	from Ch. 95 1/2, par. 6-410
19	625 ILCS 5/6-411	from Ch. 95 1/2, par. 6-411
20	625 ILCS 5/6-412	from Ch. 95 1/2, par. 6-412
21	625 ILCS 5/6-413	from Ch. 95 1/2, par. 6-413
22	625 ILCS 5/6-414	from Ch. 95 1/2, par. 6-414
23	625 ILCS 5/6-415	from Ch. 95 1/2, par. 6-415
24	625 ILCS 5/6-416	from Ch. 95 1/2, par. 6-416
25	625 ILCS 5/6-417	from Ch. 95 1/2, par. 6-417

- 1 625 ILCS 5/6-419 from Ch. 95 1/2, par. 6-419
- 2 625 ILCS 5/6-420 from Ch. 95 1/2, par. 6-420
- 3 625 ILCS 5/6-422 from Ch. 95 1/2, par. 6-422
- 4 625 ILCS 5/6-901 from Ch. 95 1/2, par. 6-901
- 5 625 ILCS 5/11-1301.3 from Ch. 95 1/2, par. 11-1301.3
- 6 720 ILCS 5/33-6