



Sen. John J. Cullerton

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LRB097 04725 MLW 72499 a

1 AMENDMENT TO SENATE BILL 957

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 957 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding  
5 Section 5.826 as follows:

6 (30 ILCS 105/5.826 new)

7 Sec. 5.826. The Driver Services Administration Fund.

8 Section 10. The Illinois Vehicle Code is amended by  
9 changing Section 6-105.1 as follows:

10 (625 ILCS 5/6-105.1)

11 Sec. 6-105.1. Temporary visitor's driver's license.

12 (a) The Secretary of State may issue a temporary visitor's  
13 driver's license to a foreign national who (i) resides in this  
14 State, (ii) is ineligible to obtain a social security number,

1 and (iii) presents to the Secretary documentation, issued by  
2 United States Citizenship and Immigration Services,  
3 authorizing the person's presence in this country.

4 (a-5) The Secretary of State may issue a temporary  
5 visitor's driver's license to an applicant who (i) has resided  
6 in this State for a period in excess of one year, (ii) is  
7 ineligible to obtain a social security number, and (iii) is  
8 unable to present documentation issued by the United States  
9 Citizenship and Immigration Services authorizing the person's  
10 presence in this country. The applicant shall submit a valid  
11 unexpired passport from the applicant's country of citizenship  
12 or a valid unexpired consular identification document issued by  
13 a consulate of that country as defined in Section 5 of the  
14 Consular Identification Document Act (5 ILCS 230/5).

15 (a-10) Applicants for a temporary visitor's driver's  
16 license who are under 18 years of age at the time of  
17 application, shall be subject to the provisions of Sections  
18 6-107 and 6-108 of this Code.

19 (b) A temporary visitor's driver's license issued under  
20 subsection (a) is valid for 3 years, or for the period of time  
21 the individual is authorized to remain in this country,  
22 whichever ends sooner. A temporary visitor's driver's license  
23 issued under subsection (a-5) shall be valid for a period of 3  
24 years.

25 (b-5) A temporary visitor's driver's license issued under  
26 this Section may not be accepted for proof of the holder's

1 identity. A temporary visitor's driver's license issued under  
2 this Section shall contain a notice on its face, in capitalized  
3 letters, stating that the temporary' visitor's driver's  
4 license may not be accepted for proof of identity.

5 (c) The Secretary shall adopt rules for implementing this  
6 Section, including rules:

7 (1) regarding the design and content of the temporary  
8 visitor's driver's license;

9 (2) establishing criteria for proof of identification  
10 and residency of an individual applying under (a-5);

11 (3) designating acceptable evidence that an applicant  
12 is not eligible for a social security number; and

13 (4) regarding the issuance of temporary visitor's  
14 instruction permits.

15 (d) Any person to whom the Secretary of State may issue a  
16 temporary visitor's driver's license shall be subject to any  
17 and all provisions of this Code and any and all implementing  
18 regulations issued by the Secretary of State to the same extent  
19 as any person issued a driver's license, unless otherwise  
20 provided in this Code or by administrative rule, including but  
21 not limited to the examination requirements in Section 6-109 as  
22 well as the mandatory insurance requirements and penalties set  
23 forth in Article VI of Chapter 7 of this Code.

24 (e) Temporary visitor's driver's licenses shall be issued  
25 from a central location after the Secretary of State has  
26 verified the information provided by the applicant.

1       (f) There is created in the State treasury a special fund  
2 to be known as the Driver Services Administration Fund. All  
3 fees collected for the issuance of temporary visitor's driver's  
4 licenses shall be deposited into the Fund. These funds shall,  
5 subject to appropriation, be used by the Office of the  
6 Secretary of State for costs related to the issuance of  
7 temporary visitor's driver's licenses, and other operational  
8 costs, including personnel, facilities, computer programming,  
9 and data transmission.

10       (Source: P.A. 93-752, eff. 1-1-05.)

11       Section 15. The Consular Identification Document Act is  
12 amended by changing Section 10 as follows:

13       (5 ILCS 230/10)

14       Sec. 10. Acceptance of consular identification document.

15       (a) When requiring members of the public to provide  
16 identification, each State agency and officer and unit of local  
17 government shall accept a consular identification document as  
18 valid identification of a person.

19       (b) A consular identification document shall be accepted  
20 for purposes of identification only and does not convey an  
21 independent right to receive benefits of any type.

22       (c) A consular identification document may not be accepted  
23 as identification for obtaining a driver's license, other than  
24 a temporary visitor's driver's license, or registering to vote.

1 (d) A consular identification document does not establish  
2 or indicate lawful U.S. immigration status and may not be  
3 viewed as valid for that purpose, nor does a consular  
4 identification document establish a foreign national's right  
5 to be in the United States or remain in the United States.

6 (e) The requirements of subsection (a) do not apply if:

7 (1) a federal law, regulation, or directive or a  
8 federal court decision requires a State agency or officer  
9 or a unit of local government to obtain different  
10 identification;

11 (2) a federal law, regulation, or directive preempts  
12 state regulation of identification requirements; or

13 (3) a State agency or officer or a unit of local  
14 government would be unable to comply with a condition  
15 imposed by a funding source which would cause the State  
16 agency or officer or unit of local government to lose funds  
17 from that source.

18 (f) Nothing in subsection (a) shall be construed to  
19 prohibit a State agency or officer or a unit of local  
20 government from:

21 (1) requiring additional information from persons in  
22 order to verify a current address or other facts that would  
23 enable the State agency or officer or unit of local  
24 government to fulfill its responsibilities, except that  
25 this paragraph (1) does not permit a State agency or  
26 officer or a unit of local government to require additional

1 information solely in order to establish identification of  
2 the person when the consular identification document is the  
3 form of identification presented;

4 (2) requiring fingerprints for identification purposes  
5 under circumstances where the State agency or officer or  
6 unit of local government also requires fingerprints from  
7 persons who have a driver's license or Illinois  
8 Identification Card; or

9 (3) requiring additional evidence of identification if  
10 the State agency or officer or unit of local government  
11 reasonably believes that: (A) the consular identification  
12 document is forged, fraudulent, or altered; or (B) the  
13 holder does not appear to be the same person on the  
14 consular identification document.

15 (Source: P.A. 94-389, eff. 1-1-06.)

16 Section 99. Effective date. This Act takes effect 10 months  
17 after becoming law."