



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB2104

Introduced 2/10/2011, by Sen. Martin A. Sandoval

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-103	from Ch. 95 1/2, par. 6-103
625 ILCS 5/6-107.1	
625 ILCS 5/6-110	from Ch. 95 1/2, par. 6-110
625 ILCS 5/6-205	
625 ILCS 5/6-206	
625 ILCS 5/7-702.1	

Amends the Illinois Vehicle Code. Provides that no instruction permit may be issued to a child who is less than 16 (instead of 15) years of age and makes corresponding changes throughout the Code. Provides that instruction permits and licenses issued to drivers under 18 years of age shall be invalid from 10:00 p.m. to 5:00 a.m. (instead of between 11:00 p.m. Friday and 6:00 a.m. Saturday; between 11:00 p.m. Saturday and 6:00 a.m. on Sunday; and between 10:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day).

LRB097 10198 HEP 50391 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, 6-107.1, 6-110, 6-205, 6-206, and 7-702.1 as  
6 follows:

7 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

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

12 1. To any person, as a driver, who is under the age of  
13 18 years except as provided in Section 6-107, and except  
14 that an instruction permit may be issued under Section  
15 6-107.1 to a child who is not less than 16 ~~15~~ years of age  
16 if the child is enrolled in an approved driver education  
17 course as defined in Section 1-103 of this Code and  
18 requires an instruction permit to participate therein, and  
19 except that an instruction permit may be issued under the  
20 provisions of Section 6-107.1 to a child who is 17 years  
21 and 3 months of age without the child having enrolled in an  
22 approved driver education course ~~and except that an~~  
23 ~~instruction permit may be issued to a child who is at least~~

1       ~~15 years and 3 months of age, is enrolled in school, meets~~  
2       ~~the educational requirements of the Driver Education Act,~~  
3       ~~and has passed examinations the Secretary of State in his~~  
4       ~~or her discretion may prescribe;~~

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

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

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

21            5. To any person, as a driver, who has previously been  
22      adjudged to be afflicted with or suffering from any mental  
23      or physical disability or disease and who has not at the  
24      time of application been restored to competency by the  
25      methods provided by law;

26            6. To any person, as a driver, who is required by the

1 Secretary of State to submit an alcohol and drug evaluation  
2 or take an examination provided for in this Code unless the  
3 person has successfully passed the examination and  
4 submitted any required evaluation;

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

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

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

21 10. To any person convicted, within 12 months of  
22 application for a license, of any of the sexual offenses  
23 enumerated in paragraph 2 of subsection (b) of Section  
24 6-205;

25 11. To any person who is under the age of 21 years with  
26 a classification prohibited in paragraph (b) of Section

1           6-104 and to any person who is under the age of 18 years  
2           with a classification prohibited in paragraph (c) of  
3           Section 6-104;

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

22          13. To any person who is under the age of 18 years and  
23          who has committed the offense of operating a motor vehicle  
24          without a valid license or permit in violation of Section  
25          6-101 or a similar out of state offense;

26          14. To any person who is 90 days or more delinquent in

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

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

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

24 16. To any person who, with intent to influence any act  
25 related to the issuance of any driver's license or permit,  
26 by an employee of the Secretary of State's Office, or the

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

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

19 18. To any person who has been adjudicated under the  
20 Juvenile Court Act of 1987 based upon an offense that is  
21 determined by the court to have been committed in  
22 furtherance of the criminal activities of an organized  
23 gang, as provided in Section 5-710 of that Act, and that  
24 involved the operation or use of a motor vehicle or the use  
25 of a driver's license or permit. The person shall be denied  
26 a license or permit for the period determined by the court.

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

4           (Source: P.A. 95-310, eff. 1-1-08; 95-337, eff. 6-1-08; 95-685,  
5 eff. 6-23-07; 95-876, eff. 8-21-08; 96-607, eff. 8-24-09;  
6 96-740, eff. 1-1-10; 96-962, eff. 7-2-10; 96-1000, eff.  
7 7-2-10.)

8           (625 ILCS 5/6-107.1)

9           Sec. 6-107.1. Instruction permit for a minor.

10          (a) The Secretary of State, upon receiving proper  
11 application and payment of the required fee, may issue an  
12 instruction permit to any person under the age of 18 years who  
13 is not ineligible for a license under paragraphs 1, 3, 4, 5, 7,  
14 or 8 of Section 6-103, after the applicant has successfully  
15 passed such examination as the Secretary of State in his  
16 discretion may prescribe.

17          (1) An instruction permit issued under this Section  
18 shall be valid for a period of 24 months after the date of  
19 its issuance and shall be restricted, by the Secretary of  
20 State, to the operation of a motor vehicle by the minor  
21 only when under direct supervision of the adult instructor  
22 of a driver education program during enrollment in the  
23 program or when practicing under direct supervision of a  
24 parent, legal guardian, family member, or a person in loco  
25 parentis who is 21 years of age or more, has a license



1 classification to operate such vehicle and at least one  
2 year of driving experience, and who is occupying a seat  
3 beside the driver.

4 (2) A 24 month instruction permit for a motor driven  
5 cycle may be issued to a person 16 or 17 years of age and  
6 entitles the holder to drive upon the highways during  
7 daylight under direct supervision of a licensed motor  
8 driven cycle operator or motorcycle operator 21 years of  
9 age or older who has a license classification to operate  
10 such motor driven cycle or motorcycle and at least one year  
11 of driving experience.

12 (3) A 24 month instruction permit for a motorcycle  
13 other than a motor driven cycle may be issued to a person  
14 16 or 17 years of age in accordance with the provisions of  
15 paragraph 2 of Section 6-103 and entitles a holder to drive  
16 upon the highways during daylight under the direct  
17 supervision of a licensed motorcycle operator 21 years of  
18 age or older who has at least one year of driving  
19 experience.

20 (b) An instruction permit issued under this Section when  
21 issued to a person under the age of 18 years shall, as a matter  
22 of law, be invalid for the operation of any motor vehicle  
23 between 10:00 p.m. and 5:00 a.m. during the following times:

24 ~~(1) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;~~

25 ~~(2) Between 11:00 p.m. Saturday and 6:00 a.m. on~~  
26 ~~Sunday; and~~

1           ~~(3) Between 10:00 p.m. on Sunday to Thursday,~~  
2           ~~inclusive, and 6:00 a.m. on the following day.~~

3           The instruction permit of a person under the age of 18  
4 shall not be invalid as described in paragraph (b) of this  
5 Section if the instruction permit holder under the age of 18  
6 was:

7           (1) accompanied by the minor's parent or guardian or  
8 other person in custody or control of the minor;

9           (2) on an errand at the direction of the minor's parent  
10 or guardian, without any detour or stop;

11           (3) in a motor vehicle involved in interstate travel;

12           (4) going to or returning home from an employment  
13 activity, without any detour or stop;

14           (5) involved in an emergency;

15           (6) going to or returning home from, without any detour  
16 or stop, an official school, religious, or other  
17 recreational activity supervised by adults and sponsored  
18 by a government or governmental agency, a civic  
19 organization, or another similar entity that takes  
20 responsibility for the licensee, without any detour or  
21 stop;

22           (7) exercising First Amendment rights protected by the  
23 United States Constitution, such as the free exercise of  
24 religion, freedom of speech, and the right of assembly; or

25           (8) married or had been married or is an emancipated  
26 minor under the Emancipation of Minors Act.

1 (b-1) No instruction permit shall be issued to any  
2 applicant who is under the age of 18 years and who has been  
3 certified to be a chronic or habitual truant, as defined in  
4 Section 26-2a of the School Code.

5 An applicant under the age of 18 years who provides proof  
6 that he or she has resumed regular school attendance or that  
7 his or her application was denied in error shall be eligible to  
8 receive an instruction permit if other requirements are met.  
9 The Secretary shall adopt rules for implementing this  
10 subsection (b-1).

11 (c) (Blank). ~~Any person under the age of 16 years who~~  
12 ~~possesses an instruction permit and whose driving privileges~~  
13 ~~have been suspended or revoked under the provisions of this~~  
14 ~~Code shall not be granted a Family Financial Responsibility~~  
15 ~~Driving Permit or a Restricted Driving Permit.~~

16 (Source: P.A. 95-310, eff. 1-1-08; 96-1237, eff. 1-1-11.)

17 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

18 Sec. 6-110. Licenses issued to drivers.

19 (a) The Secretary of State shall issue to every qualifying  
20 applicant a driver's license as applied for, which license  
21 shall bear a distinguishing number assigned to the licensee,  
22 the legal name, signature, zip code, date of birth, residence  
23 address, and a brief description of the licensee.

24 Licenses issued shall also indicate the classification and  
25 the restrictions under Section 6-104 of this Code.

1           In lieu of the social security number, the Secretary may in  
2 his discretion substitute a federal tax number or other  
3 distinctive number.

4           A driver's license issued may, in the discretion of the  
5 Secretary, include a suitable photograph of a type prescribed  
6 by the Secretary.

7           (a-1) If the licensee is less than 18 years of age, unless  
8 one of the exceptions in subsection (a-2) apply, the license  
9 shall, as a matter of law, be invalid for the operation of any  
10 motor vehicle between 10:00 p.m. and 5:00 a.m. ~~during the~~  
11 ~~following times:~~

12           ~~(A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday,~~

13           ~~(B) Between 11:00 p.m. Saturday and 6:00 a.m. on~~  
14 ~~Sunday; and~~

15           ~~(C) Between 10:00 p.m. on Sunday to Thursday,~~  
16 ~~inclusive, and 6:00 a.m. on the following day.~~

17           (a-2) The driver's license of a person under the age of 18  
18 shall not be invalid as described in subsection (a-1) of this  
19 Section if the licensee under the age of 18 was:

20           (1) accompanied by the licensee's parent or guardian or  
21 other person in custody or control of the minor;

22           (2) on an errand at the direction of the minor's parent  
23 or guardian, without any detour or stop;

24           (3) in a motor vehicle involved in interstate travel;

25           (4) going to or returning home from an employment  
26 activity, without any detour or stop;

1 (5) involved in an emergency;

2 (6) going to or returning home from, without any detour  
3 or stop, an official school, religious, or other  
4 recreational activity supervised by adults and sponsored  
5 by a government or governmental agency, a civic  
6 organization, or another similar entity that takes  
7 responsibility for the licensee, without any detour or  
8 stop;

9 (7) exercising First Amendment rights protected by the  
10 United States Constitution, such as the free exercise of  
11 religion, freedom of speech, and the right of assembly; or

12 (8) married or had been married or is an emancipated  
13 minor under the Emancipation of Minors Act.

14 (a-2.5) The driver's license of a person who is 17 years of  
15 age and has been licensed for at least 12 months is not invalid  
16 as described in subsection (a-1) of this Section while the  
17 licensee is participating as an assigned driver in a Safe Rides  
18 program that meets the following criteria:

19 (1) the program is sponsored by the Boy Scouts of  
20 America or another national public service organization;  
21 and

22 (2) the sponsoring organization carries liability  
23 insurance covering the program.

24 (a-3) If a graduated driver's license holder over the age  
25 of 18 committed an offense against traffic regulations  
26 governing the movement of vehicles or any violation of Section

1 6-107 or Section 12-603.1 of this Code in the 6 months prior to  
2 the graduated driver's license holder's 18th birthday, and was  
3 subsequently convicted of the offense, the provisions of  
4 subsection (a-1) shall continue to apply until such time as a  
5 period of 6 consecutive months has elapsed without an  
6 additional violation and subsequent conviction of an offense  
7 against traffic regulations governing the movement of vehicles  
8 or Section 6-107 or Section 12-603.1 of this Code.

9 (a-4) If an applicant for a driver's license or instruction  
10 permit has a current identification card issued by the  
11 Secretary of State, the Secretary may require the applicant to  
12 utilize the same residence address and name on the  
13 identification card, driver's license, and instruction permit  
14 records maintained by the Secretary. The Secretary may  
15 promulgate rules to implement this provision.

16 (b) Until the Secretary of State establishes a First Person  
17 Consent organ and tissue donor registry under Section 6-117 of  
18 this Code, the Secretary of State shall provide a format on the  
19 reverse of each driver's license issued which the licensee may  
20 use to execute a document of gift conforming to the provisions  
21 of the Illinois Anatomical Gift Act. The format shall allow the  
22 licensee to indicate the gift intended, whether specific  
23 organs, any organ, or the entire body, and shall accommodate  
24 the signatures of the donor and 2 witnesses. The Secretary  
25 shall also inform each applicant or licensee of this format,  
26 describe the procedure for its execution, and may offer the

1 necessary witnesses; provided that in so doing, the Secretary  
2 shall advise the applicant or licensee that he or she is under  
3 no compulsion to execute a document of gift. A brochure  
4 explaining this method of executing an anatomical gift document  
5 shall be given to each applicant or licensee. The brochure  
6 shall advise the applicant or licensee that he or she is under  
7 no compulsion to execute a document of gift, and that he or she  
8 may wish to consult with family, friends or clergy before doing  
9 so. The Secretary of State may undertake additional efforts,  
10 including education and awareness activities, to promote organ  
11 and tissue donation.

12 (c) The Secretary of State shall designate on each driver's  
13 license issued a space where the licensee may place a sticker  
14 or decal of the uniform size as the Secretary may specify,  
15 which sticker or decal may indicate in appropriate language  
16 that the owner of the license carries an Emergency Medical  
17 Information Card.

18 The sticker may be provided by any person, hospital,  
19 school, medical group, or association interested in assisting  
20 in implementing the Emergency Medical Information Card, but  
21 shall meet the specifications as the Secretary may by rule or  
22 regulation require.

23 (d) The Secretary of State shall designate on each driver's  
24 license issued a space where the licensee may indicate his  
25 blood type and RH factor.

26 (e) The Secretary of State shall provide that each original

1 or renewal driver's license issued to a licensee under 21 years  
2 of age shall be of a distinct nature from those driver's  
3 licenses issued to individuals 21 years of age and older. The  
4 color designated for driver's licenses for licensees under 21  
5 years of age shall be at the discretion of the Secretary of  
6 State.

7 (e-1) The Secretary shall provide that each driver's  
8 license issued to a person under the age of 21 displays the  
9 date upon which the person becomes 18 years of age and the date  
10 upon which the person becomes 21 years of age.

11 (f) The Secretary of State shall inform all Illinois  
12 licensed commercial motor vehicle operators of the  
13 requirements of the Uniform Commercial Driver License Act,  
14 Article V of this Chapter, and shall make provisions to insure  
15 that all drivers, seeking to obtain a commercial driver's  
16 license, be afforded an opportunity prior to April 1, 1992, to  
17 obtain the license. The Secretary is authorized to extend  
18 driver's license expiration dates, and assign specific times,  
19 dates and locations where these commercial driver's tests shall  
20 be conducted. Any applicant, regardless of the current  
21 expiration date of the applicant's driver's license, may be  
22 subject to any assignment by the Secretary. Failure to comply  
23 with the Secretary's assignment may result in the applicant's  
24 forfeiture of an opportunity to receive a commercial driver's  
25 license prior to April 1, 1992.

26 (g) The Secretary of State shall designate on a driver's



1 license issued, a space where the licensee may indicate that he  
2 or she has drafted a living will in accordance with the  
3 Illinois Living Will Act or a durable power of attorney for  
4 health care in accordance with the Illinois Power of Attorney  
5 Act.

6 (g-1) The Secretary of State, in his or her discretion, may  
7 designate on each driver's license issued a space where the  
8 licensee may place a sticker or decal, issued by the Secretary  
9 of State, of uniform size as the Secretary may specify, that  
10 shall indicate in appropriate language that the owner of the  
11 license has renewed his or her driver's license.

12 (h) A person who acts in good faith in accordance with the  
13 terms of this Section is not liable for damages in any civil  
14 action or subject to prosecution in any criminal proceeding for  
15 his or her act.

16 (Source: P.A. 95-310, eff. 1-1-08; 95-747, eff. 7-22-08;  
17 96-607, eff. 8-24-09; 96-1231, eff. 7-23-10.)

18 (625 ILCS 5/6-205)

19 (Text of Section before amendment by P.A. 96-1344)

20 Sec. 6-205. Mandatory revocation of license or permit;  
21 Hardship cases.

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

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

3           2. Violation of Section 11-501 of this Code or a  
4 similar provision of a local ordinance relating to the  
5 offense of operating or being in physical control of a  
6 vehicle while under the influence of alcohol, other drug or  
7 drugs, intoxicating compound or compounds, or any  
8 combination thereof;

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

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

15           5. Perjury or the making of a false affidavit or  
16 statement under oath to the Secretary of State under this  
17 Code or under any other law relating to the ownership or  
18 operation of motor vehicles;

19           6. Conviction upon 3 charges of violation of Section  
20 11-503 of this Code relating to the offense of reckless  
21 driving committed within a period of 12 months;

22           7. Conviction of any offense defined in Section 4-102  
23 of this Code;

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

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

1           10. Violation of Section 12-5 of the Criminal Code of  
2 1961 arising from the use of a motor vehicle;

3           11. Violation of Section 11-204.1 of this Code relating  
4 to aggravated fleeing or attempting to elude a peace  
5 officer;

6           12. Violation of paragraph (1) of subsection (b) of  
7 Section 6-507, or a similar law of any other state,  
8 relating to the unlawful operation of a commercial motor  
9 vehicle;

10          13. Violation of paragraph (a) of Section 11-502 of  
11 this Code or a similar provision of a local ordinance if  
12 the driver has been previously convicted of a violation of  
13 that Section or a similar provision of a local ordinance  
14 and the driver was less than 21 years of age at the time of  
15 the offense;

16          14. Violation of paragraph (a) of Section 11-506 of  
17 this Code or a similar provision of a local ordinance  
18 relating to the offense of street racing;

19          15. A second or subsequent conviction of driving while  
20 the person's driver's license, permit or privileges was  
21 revoked for reckless homicide or a similar out-of-state  
22 offense;

23          16. Any offense against any provision in this ~~the~~  
24 ~~Illinois Vehicle~~ Code, or any local ordinance, regulating  
25 the movement of traffic, when that offense was the  
26 proximate cause of the death of any person. Any person

1           whose driving privileges have been revoked pursuant to this  
2           paragraph may seek to have the revocation terminated or to  
3           have the length of revocation reduced, by requesting an  
4           administrative hearing with the Secretary of State prior to  
5           the projected driver's license application eligibility  
6           date.

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

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

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

18           3. Of any person adjudicated under the Juvenile Court  
19           Act of 1987 based on an offense determined to have been  
20           committed in furtherance of the criminal activities of an  
21           organized gang as provided in Section 5-710 of that Act,  
22           and that involved the operation or use of a motor vehicle  
23           or the use of a driver's license or permit. The revocation  
24           shall remain in effect for the period determined by the  
25           court. Upon the direction of the court, the Secretary shall  
26           issue the person a judicial driving permit, also known as a

1 JDP. The JDP shall be subject to the same terms as a JDP  
2 issued under Section 6-206.1, except that the court may  
3 direct that a JDP issued under this subdivision (b)(3) be  
4 effective immediately.

5 (c)(1) Whenever ~~Except as provided in subsection (c 5),~~  
6 ~~whenever~~ a person is convicted of any of the offenses  
7 enumerated in this Section, the court may recommend and the  
8 Secretary of State in his discretion, without regard to whether  
9 the recommendation is made by the court may, upon application,  
10 issue to the person a restricted driving permit granting the  
11 privilege of driving a motor vehicle between the petitioner's  
12 residence and petitioner's place of employment or within the  
13 scope of the petitioner's employment related duties, or to  
14 allow the petitioner to transport himself or herself or a  
15 family member of the petitioner's household to a medical  
16 facility for the receipt of necessary medical care or to allow  
17 the petitioner to transport himself or herself to and from  
18 alcohol or drug remedial or rehabilitative activity  
19 recommended by a licensed service provider, or to allow the  
20 petitioner to transport himself or herself or a family member  
21 of the petitioner's household to classes, as a student, at an  
22 accredited educational institution, or to allow the petitioner  
23 to transport children, elderly persons, or disabled persons who  
24 do not hold driving privileges and are living in the  
25 petitioner's household to and from daycare; if the petitioner  
26 is able to demonstrate that no alternative means of

1 transportation is reasonably available and that the petitioner  
2 will not endanger the public safety or welfare; provided that  
3 the Secretary's discretion shall be limited to cases where  
4 undue hardship, as defined by the rules of the Secretary of  
5 State, would result from a failure to issue the restricted  
6 driving permit. Those multiple offenders identified in  
7 subdivision (b)4 of Section 6-208 of this Code, however, shall  
8 not be eligible for the issuance of a restricted driving  
9 permit.

10 (2) If a person's license or permit is revoked or  
11 suspended due to 2 or more convictions of violating Section  
12 11-501 of this Code or a similar provision of a local  
13 ordinance or a similar out-of-state offense, or Section 9-3  
14 of the Criminal Code of 1961, where the use of alcohol or  
15 other drugs is recited as an element of the offense, or a  
16 similar out-of-state offense, or a combination of these  
17 offenses, 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 1-129.1.

21 (3) If:

22 (A) a person's license or permit is revoked or  
23 suspended 2 or more times within a 10 year period due  
24 to any combination of:

25 (i) a single conviction of violating Section  
26 11-501 of this Code or a similar provision of a

1 local ordinance or a similar out-of-state offense,  
2 or Section 9-3 of the Criminal Code of 1961, where  
3 the use of alcohol or other drugs is recited as an  
4 element of the offense, or a similar out-of-state  
5 offense; or

6 (ii) a statutory summary suspension under  
7 Section 11-501.1; or

8 (iii) a suspension pursuant to Section  
9 6-203.1;

10 arising out of separate occurrences; or

11 (B) a person has been convicted of one violation of  
12 Section 6-303 of this Code committed while his or her  
13 driver's license, permit, or privilege was revoked  
14 because of a violation of Section 9-3 of the Criminal  
15 Code of 1961, relating to the offense of reckless  
16 homicide where the use of alcohol or other drugs was  
17 recited as an element of the offense, or a similar  
18 provision of a law of another state;

19 that person, if issued a restricted driving permit, may not  
20 operate a vehicle unless it has been equipped with an  
21 ignition interlock device as defined in Section 1-129.1.

22 (4) The person issued a permit conditioned on the use  
23 of an ignition interlock device must pay to the Secretary  
24 of State DUI Administration Fund an amount not to exceed  
25 \$30 per month. The Secretary shall establish by rule the  
26 amount and the procedures, terms, and conditions relating

1 to these fees.

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

8 (6) In each case the Secretary of State may issue a  
9 restricted driving permit for a period he deems  
10 appropriate, except that the permit shall expire within one  
11 year from the date of issuance. The Secretary may not,  
12 however, issue a restricted driving permit to any person  
13 whose current revocation is the result of a second or  
14 subsequent conviction for a violation of Section 11-501 of  
15 this Code or a similar provision of a local ordinance or  
16 any similar out-of-state offense, or Section 9-3 of the  
17 Criminal Code of 1961, where the use of alcohol or other  
18 drugs is recited as an element of the offense, or any  
19 similar out-of-state offense, or any combination of these  
20 offenses, until the expiration of at least one year from  
21 the date of the revocation. A restricted driving permit  
22 issued under this Section shall be subject to cancellation,  
23 revocation, and suspension by the Secretary of State in  
24 like manner and for like cause as a driver's license issued  
25 under this Code may be cancelled, revoked, or suspended;  
26 except that a conviction upon one or more offenses against



1 laws or ordinances regulating the movement of traffic shall  
2 be deemed sufficient cause for the revocation, suspension,  
3 or cancellation of a restricted driving permit. The  
4 Secretary of State may, as a condition to the issuance of a  
5 restricted driving permit, require the petitioner to  
6 participate in a designated driver remedial or  
7 rehabilitative program. The Secretary of State is  
8 authorized to cancel a restricted driving permit if the  
9 permit holder does not successfully complete the program.  
10 However, if an individual's driving privileges have been  
11 revoked in accordance with paragraph 13 of subsection (a)  
12 of this Section, no restricted driving permit shall be  
13 issued until the individual has served 6 months of the  
14 revocation period.

15 (c-5) (Blank).

16 (c-6) If a person is convicted of a second violation of  
17 operating a motor vehicle while the person's driver's license,  
18 permit or privilege was revoked, where the revocation was for a  
19 violation of Section 9-3 of the Criminal Code of 1961 relating  
20 to the offense of reckless homicide or a similar out-of-state  
21 offense, the person's driving privileges shall be revoked  
22 pursuant to subdivision (a) (15) of this Section. The person may  
23 not make application for a license or permit until the  
24 expiration of five years from the effective date of the  
25 revocation or the expiration of five years from the date of  
26 release from a term of imprisonment, whichever is later.

1 (c-7) If a person is convicted of a third or subsequent  
2 violation of operating a motor vehicle while the person's  
3 driver's license, permit or privilege was revoked, where the  
4 revocation was for a violation of Section 9-3 of the Criminal  
5 Code of 1961 relating to the offense of reckless homicide or a  
6 similar out-of-state offense, the person may never apply for a  
7 license or permit.

8 (d) (1) Whenever a person under the age of 21 is convicted  
9 under Section 11-501 of this Code or a similar provision of a  
10 local ordinance or a similar out-of-state offense, the  
11 Secretary of State shall revoke the driving privileges of that  
12 person. One year after the date of revocation, and upon  
13 application, the Secretary of State may, if satisfied that the  
14 person applying will not endanger the public safety or welfare,  
15 issue a restricted driving permit granting the privilege of  
16 driving a motor vehicle only between the hours of 5 a.m. and 9  
17 p.m. or as otherwise provided by this Section for a period of  
18 one year. After this one year period, and upon reapplication  
19 for a license as provided in Section 6-106, upon payment of the  
20 appropriate reinstatement fee provided under paragraph (b) of  
21 Section 6-118, the Secretary of State, in his discretion, may  
22 reinstate the petitioner's driver's license and driving  
23 privileges, or extend the restricted driving permit as many  
24 times as the Secretary of State deems appropriate, by  
25 additional periods of not more than 12 months each.

26 (2) If a person's license or permit is revoked or

1           suspended due to 2 or more convictions of violating Section  
2           11-501 of this Code or a similar provision of a local  
3           ordinance or a similar out-of-state offense, or Section 9-3  
4           of the Criminal Code of 1961, where the use of alcohol or  
5           other drugs is recited as an element of the offense, or a  
6           similar out-of-state offense, or a combination of these  
7           offenses, arising out of separate occurrences, that  
8           person, if issued a restricted driving permit, may not  
9           operate a vehicle unless it has been equipped with an  
10          ignition interlock device as defined in Section 1-129.1.

11           (3) If a person's license or permit is revoked or  
12          suspended 2 or more times within a 10 year period due to  
13          any combination of:

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

20                   (B) a statutory summary suspension under Section  
21                   11-501.1; or

22                   (C) a suspension pursuant to Section 6-203.1;  
23          arising out of separate occurrences, that person, if issued  
24          a restricted driving permit, may not operate a vehicle  
25          unless it has been equipped with an ignition interlock  
26          device as defined in Section 1-129.1.

1           (4) The person issued a permit conditioned upon the use  
2           of an interlock device must pay to the Secretary of State  
3           DUI Administration Fund an amount not to exceed \$30 per  
4           month. The Secretary shall establish by rule the amount and  
5           the procedures, terms, and conditions relating to these  
6           fees.

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

13          (6) A restricted driving permit issued under this  
14          Section shall be subject to cancellation, revocation, and  
15          suspension by the Secretary of State in like manner and for  
16          like cause as a driver's license issued under this Code may  
17          be cancelled, revoked, or suspended; except that a  
18          conviction upon one or more offenses against laws or  
19          ordinances regulating the movement of traffic shall be  
20          deemed sufficient cause for the revocation, suspension, or  
21          cancellation of a restricted driving permit.

22          (d-5) The revocation of the license, permit, or driving  
23          privileges of a person convicted of a third or subsequent  
24          violation of Section 6-303 of this Code committed while his or  
25          her driver's license, permit, or privilege was revoked because  
26          of a violation of Section 9-3 of the Criminal Code of 1961,

1 relating to the offense of reckless homicide, or a similar  
2 provision of a law of another state, is permanent. The  
3 Secretary may not, at any time, issue a license or permit to  
4 that person.

5 (e) This Section is subject to the provisions of the Driver  
6 License Compact.

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

11 (g) The Secretary of State shall not issue a restricted  
12 driving permit to a person under the age of 16 years ~~whose~~  
13 ~~driving privileges have been revoked under any provisions of~~  
14 ~~this Code.~~

15 (h) The Secretary of State shall require the use of  
16 ignition interlock devices on all vehicles owned by a person  
17 who has been convicted of a second or subsequent offense under  
18 Section 11-501 of this Code or a similar provision of a local  
19 ordinance. The person must pay to the Secretary of State DUI  
20 Administration Fund an amount not to exceed \$30 for each month  
21 that he or she uses the device. The Secretary shall establish  
22 by rule and regulation the procedures for certification and use  
23 of the interlock system, the amount of the fee, and the  
24 procedures, terms, and conditions relating to these fees.

25 (i) (Blank).

26 (j) In accordance with 49 C.F.R. 384, the Secretary of

1 State may not issue a restricted driving permit for the  
2 operation of a commercial motor vehicle to a person holding a  
3 CDL whose driving privileges have been revoked, suspended,  
4 cancelled, or disqualified under any provisions of this Code.

5 (Source: P.A. 95-310, eff. 1-1-08; 95-337, eff. 6-1-08; 95-377,  
6 eff. 1-1-08; 95-382, eff. 8-23-07; 95-627, eff. 6-1-08; 95-848,  
7 eff. 1-1-09; 95-876, eff. 8-21-08; 96-328, eff. 8-11-09;  
8 96-607, eff. 8-24-09; 96-1180, eff. 1-1-11; 96-1305, eff.  
9 1-1-11; revised 9-2-10.)

10 (Text of Section after amendment by P.A. 96-1344)

11 Sec. 6-205. Mandatory revocation of license or permit;  
12 Hardship cases.

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

17 1. Reckless homicide resulting from the operation of a  
18 motor vehicle;

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

25 3. Any felony under the laws of any State or the

1 federal government in the commission of which a motor  
2 vehicle was used;

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

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

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

13 7. Conviction of any offense defined in Section 4-102  
14 of this Code;

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

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

18 10. Violation of Section 12-5 of the Criminal Code of  
19 1961 arising from the use of a motor vehicle;

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

23 12. Violation of paragraph (1) of subsection (b) of  
24 Section 6-507, or a similar law of any other state,  
25 relating to the unlawful operation of a commercial motor  
26 vehicle;

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

7           14. Violation of paragraph (a) of Section 11-506 of  
8 this Code or a similar provision of a local ordinance  
9 relating to the offense of street racing;

10          15. A second or subsequent conviction of driving while  
11 the person's driver's license, permit or privileges was  
12 revoked for reckless homicide or a similar out-of-state  
13 offense;

14          16. Any offense against any provision in this ~~the~~  
15 ~~Illinois Vehicle~~ Code, or any local ordinance, regulating  
16 the movement of traffic~~7~~ when that offense was the  
17 proximate cause of the death of any person. Any person  
18 whose driving privileges have been revoked pursuant to this  
19 paragraph may seek to have the revocation terminated or to  
20 have the length of revocation reduced~~7~~ by requesting an  
21 administrative hearing with the Secretary of State prior to  
22 the projected driver's license application eligibility  
23 date.

24          (b) The Secretary of State shall also immediately revoke  
25 the license or permit of any driver in the following  
26 situations:



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

6           2. Of any person when any other law of this State  
7           requires either the revocation or suspension of a license  
8           or permit;

9           3. Of any person adjudicated under the Juvenile Court  
10          Act of 1987 based on an offense determined to have been  
11          committed in furtherance of the criminal activities of an  
12          organized gang as provided in Section 5-710 of that Act,  
13          and that involved the operation or use of a motor vehicle  
14          or the use of a driver's license or permit. The revocation  
15          shall remain in effect for the period determined by the  
16          court. Upon the direction of the court, the Secretary shall  
17          issue the person a judicial driving permit, also known as a  
18          JDP. The JDP shall be subject to the same terms as a JDP  
19          issued under Section 6-206.1, except that the court may  
20          direct that a JDP issued under this subdivision (b) (3) be  
21          effective immediately.

22          (c) (1) Whenever ~~Except as provided in subsection (c-5),~~  
23          ~~whenever~~ a person is convicted of any of the offenses  
24          enumerated in this Section, the court may recommend and the  
25          Secretary of State in his discretion, without regard to whether  
26          the recommendation is made by the court may, upon application,

1 issue to the person a restricted driving permit granting the  
2 privilege of driving a motor vehicle between the petitioner's  
3 residence and petitioner's place of employment or within the  
4 scope of the petitioner's employment related duties, or to  
5 allow the petitioner to transport himself or herself or a  
6 family member of the petitioner's household to a medical  
7 facility for the receipt of necessary medical care or to allow  
8 the petitioner to transport himself or herself to and from  
9 alcohol or drug remedial or rehabilitative activity  
10 recommended by a licensed service provider, or to allow the  
11 petitioner to transport himself or herself or a family member  
12 of the petitioner's household to classes, as a student, at an  
13 accredited educational institution, or to allow the petitioner  
14 to transport children, elderly persons, or disabled persons who  
15 do not hold driving privileges and are living in the  
16 petitioner's household to and from daycare; if the petitioner  
17 is able to demonstrate that no alternative means of  
18 transportation is reasonably available and that the petitioner  
19 will not endanger the public safety or welfare; provided that  
20 the Secretary's discretion shall be limited to cases where  
21 undue hardship, as defined by the rules of the Secretary of  
22 State, would result from a failure to issue the restricted  
23 driving permit. Those multiple offenders identified in  
24 subdivision (b)4 of Section 6-208 of this Code, however, shall  
25 not be eligible for the issuance of a restricted driving  
26 permit.

1           (2) If a person's license or permit is revoked or  
2           suspended due to 2 or more convictions of violating Section  
3           11-501 of this Code or a similar provision of a local  
4           ordinance or a similar out-of-state offense, or Section 9-3  
5           of the Criminal Code of 1961, where the use of alcohol or  
6           other drugs is recited as an element of the offense, or a  
7           similar out-of-state offense, or a combination of these  
8           offenses, arising out of separate occurrences, that  
9           person, if issued a restricted driving permit, may not  
10          operate a vehicle unless it has been equipped with an  
11          ignition interlock device as defined in Section 1-129.1.

12          (3) If:

13                (A) a person's license or permit is revoked or  
14                suspended 2 or more times within a 10 year period due  
15                to any combination of:

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

23                   (ii) a statutory summary suspension or  
24                   revocation under Section 11-501.1; or

25                   (iii) a suspension pursuant to Section  
26                   6-203.1;

1 arising out of separate occurrences; or

2 (B) a person has been convicted of one violation of  
3 Section 6-303 of this Code committed while his or her  
4 driver's license, permit, or privilege was revoked  
5 because of a violation of Section 9-3 of the Criminal  
6 Code of 1961, relating to the offense of reckless  
7 homicide where the use of alcohol or other drugs was  
8 recited as an element of the offense, or a similar  
9 provision of a law of another state;

10 that person, if issued a restricted driving permit, may not  
11 operate a vehicle unless it has been equipped with an  
12 ignition interlock device as defined in Section 1-129.1.

13 (4) The person issued a permit conditioned on the use  
14 of an ignition interlock device must pay to the Secretary  
15 of State DUI Administration Fund an amount not to exceed  
16 \$30 per month. The Secretary shall establish by rule the  
17 amount and the procedures, terms, and conditions relating  
18 to these fees.

19 (5) If the restricted driving permit is issued for  
20 employment purposes, then the prohibition against  
21 operating a motor vehicle that is not equipped with an  
22 ignition interlock device does not apply to the operation  
23 of an occupational vehicle owned or leased by that person's  
24 employer when used solely for employment purposes.

25 (6) In each case the Secretary of State may issue a  
26 restricted driving permit for a period he deems

1 appropriate, except that the permit shall expire within one  
2 year from the date of issuance. The Secretary may not,  
3 however, issue a restricted driving permit to any person  
4 whose current revocation is the result of a second or  
5 subsequent conviction for a violation of Section 11-501 of  
6 this Code or a similar provision of a local ordinance or  
7 any similar out-of-state offense, or Section 9-3 of the  
8 Criminal Code of 1961, where the use of alcohol or other  
9 drugs is recited as an element of the offense, or any  
10 similar out-of-state offense, or any combination of these  
11 offenses, until the expiration of at least one year from  
12 the date of the revocation. A restricted driving permit  
13 issued under this Section shall be subject to cancellation,  
14 revocation, and suspension by the Secretary of State in  
15 like manner and for like cause as a driver's license issued  
16 under this Code may be cancelled, revoked, or suspended;  
17 except that a conviction upon one or more offenses against  
18 laws or ordinances regulating the movement of traffic shall  
19 be deemed sufficient cause for the revocation, suspension,  
20 or cancellation of a restricted driving permit. The  
21 Secretary of State may, as a condition to the issuance of a  
22 restricted driving permit, require the petitioner to  
23 participate in a designated driver remedial or  
24 rehabilitative program. The Secretary of State is  
25 authorized to cancel a restricted driving permit if the  
26 permit holder does not successfully complete the program.

1           However, if an individual's driving privileges have been  
2           revoked in accordance with paragraph 13 of subsection (a)  
3           of this Section, no restricted driving permit shall be  
4           issued until the individual has served 6 months of the  
5           revocation period.

6           (c-5) (Blank).

7           (c-6) If a person is convicted of a second violation of  
8           operating a motor vehicle while the person's driver's license,  
9           permit or privilege was revoked, where the revocation was for a  
10          violation of Section 9-3 of the Criminal Code of 1961 relating  
11          to the offense of reckless homicide or a similar out-of-state  
12          offense, the person's driving privileges shall be revoked  
13          pursuant to subdivision (a)(15) of this Section. The person may  
14          not make application for a license or permit until the  
15          expiration of five years from the effective date of the  
16          revocation or the expiration of five years from the date of  
17          release from a term of imprisonment, whichever is later.

18          (c-7) If a person is convicted of a third or subsequent  
19          violation of operating a motor vehicle while the person's  
20          driver's license, permit or privilege was revoked, where the  
21          revocation was for a violation of Section 9-3 of the Criminal  
22          Code of 1961 relating to the offense of reckless homicide or a  
23          similar out-of-state offense, the person may never apply for a  
24          license or permit.

25          (d)(1) Whenever a person under the age of 21 is convicted  
26          under Section 11-501 of this Code or a similar provision of a

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

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

1 ignition interlock device as defined in Section 1-129.1.

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

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

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

13 (C) a suspension pursuant to Section 6-203.1;  
14 arising out of separate occurrences, that person, if issued  
15 a restricted driving permit, may not operate a vehicle  
16 unless it has been equipped with an ignition interlock  
17 device as defined in Section 1-129.1.

18 (4) The person issued a permit conditioned upon the use  
19 of an interlock device must pay to the Secretary of State  
20 DUI Administration Fund an amount not to exceed \$30 per  
21 month. The Secretary shall establish by rule the amount and  
22 the procedures, terms, and conditions relating to these  
23 fees.

24 (5) If the restricted driving permit is issued for  
25 employment purposes, then the prohibition against driving  
26 a vehicle that is not equipped with an ignition interlock



1 device does not apply to the operation of an occupational  
2 vehicle owned or leased by that person's employer when used  
3 solely for employment purposes.

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

13 (d-5) The revocation of the license, permit, or driving  
14 privileges of a person convicted of a third or subsequent  
15 violation of Section 6-303 of this Code committed while his or  
16 her driver's license, permit, or privilege was revoked because  
17 of a violation of Section 9-3 of the Criminal Code of 1961,  
18 relating to the offense of reckless homicide, or a similar  
19 provision of a law of another state, is permanent. The  
20 Secretary may not, at any time, issue a license or permit to  
21 that person.

22 (e) This Section is subject to the provisions of the Driver  
23 License Compact.

24 (f) Any revocation imposed upon any person under  
25 subsections 2 and 3 of paragraph (b) that is in effect on  
26 December 31, 1988 shall be converted to a suspension for a like

1 period of time.

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

6 (h) The Secretary of State shall require the use of  
7 ignition interlock devices on all vehicles owned by a person  
8 who has been convicted of a second or subsequent offense under  
9 Section 11-501 of this Code or a similar provision of a local  
10 ordinance. The person must pay to the Secretary of State DUI  
11 Administration Fund an amount not to exceed \$30 for each month  
12 that he or she uses the device. The Secretary shall establish  
13 by rule and regulation the procedures for certification and use  
14 of the interlock system, the amount of the fee, and the  
15 procedures, terms, and conditions relating to these fees.

16 (i) (Blank).

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

22 (Source: P.A. 95-310, eff. 1-1-08; 95-337, eff. 6-1-08; 95-377,  
23 eff. 1-1-08; 95-382, eff. 8-23-07; 95-627, eff. 6-1-08; 95-848,  
24 eff. 1-1-09; 95-876, eff. 8-21-08; 96-328, eff. 8-11-09;  
25 96-607, eff. 8-24-09; 96-1180, eff. 1-1-11; 96-1305, eff.  
26 1-1-11; 96-1344, eff. 7-1-11; revised 9-2-10.)

1 (625 ILCS 5/6-206)

2 (Text of Section before amendment by P.A. 96-1344)

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

5 (a) The Secretary of State is authorized to suspend or  
6 revoke the driving privileges of any person without preliminary  
7 hearing upon a showing of the person's records or other  
8 sufficient evidence that the person:

9 1. Has committed an offense for which mandatory  
10 revocation of a driver's license or permit is required upon  
11 conviction;

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

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

25 4. Has by the unlawful operation of a motor vehicle

1           caused or contributed to an accident resulting in injury  
2           requiring immediate professional treatment in a medical  
3           facility or doctor's office to any person, except that any  
4           suspension or revocation imposed by the Secretary of State  
5           under the provisions of this subsection shall start no  
6           later than 6 months after being convicted of violating a  
7           law or ordinance regulating the movement of traffic, which  
8           violation is related to the accident, or shall start not  
9           more than one year after the date of the accident,  
10          whichever date occurs later;

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

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

17           7. Has refused or failed to submit to an examination  
18          provided for by Section 6-207 or has failed to pass the  
19          examination;

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

22           9. Has made a false statement or knowingly concealed a  
23          material fact or has used false information or  
24          identification in any application for a license,  
25          identification card, or permit;

26           10. Has possessed, displayed, or attempted to

1 fraudulently use any license, identification card, or  
2 permit not issued to the person;

3 11. Has operated a motor vehicle upon a highway of this  
4 State when the person's driving privilege or privilege to  
5 obtain a driver's license or permit was revoked or  
6 suspended unless the operation was authorized by a  
7 monitoring device driving permit, judicial driving permit  
8 issued prior to January 1, 2009, probationary license to  
9 drive, or a restricted driving permit issued under this  
10 Code;

11 12. Has submitted to any portion of the application  
12 process for another person or has obtained the services of  
13 another person to submit to any portion of the application  
14 process for the purpose of obtaining a license,  
15 identification card, or permit for some other person;

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

19 14. Has committed a violation of Section 6-301,  
20 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B  
21 of the Illinois Identification Card Act;

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

26 16. Has been convicted of violating Section 11-204 of

1 this Code relating to fleeing from a peace officer;

2 17. Has refused to submit to a test, or tests, as  
3 required under Section 11-501.1 of this Code and the person  
4 has not sought a hearing as provided for in Section  
5 11-501.1;

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

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

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

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

18 22. Has used a motor vehicle in violating paragraph  
19 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of  
20 the Criminal Code of 1961 relating to unlawful use of  
21 weapons, in which case the suspension shall be for one  
22 year;

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

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

7           25. Has permitted any form of identification to be used  
8           by another in the application process in order to obtain or  
9           attempt to obtain a license, identification card, or  
10          permit;

11          26. Has altered or attempted to alter a license or has  
12          possessed an altered license, identification card, or  
13          permit;

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

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

1 in actual physical control, as a driver, of a motor  
2 vehicle, of any controlled substance prohibited under the  
3 Illinois Controlled Substances Act, any cannabis  
4 prohibited under the Cannabis Control Act, or any  
5 methamphetamine prohibited under the Methamphetamine  
6 Control and Community Protection Act shall be suspended for  
7 5 years. Any defendant found guilty of this offense while  
8 operating a motor vehicle, shall have an entry made in the  
9 court record by the presiding judge that this offense did  
10 occur while the defendant was operating a motor vehicle and  
11 order the clerk of the court to report the violation to the  
12 Secretary of State;

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

24 30. Has been convicted a second or subsequent time for  
25 any combination of the offenses named in paragraph 29 of  
26 this subsection, in which case the person's driving



1 privileges shall be suspended for 5 years;

2 31. Has refused to submit to a test as required by  
3 Section 11-501.6 or has submitted to a test resulting in an  
4 alcohol concentration of 0.08 or more or any amount of a  
5 drug, substance, or compound resulting from the unlawful  
6 use or consumption of cannabis as listed in the Cannabis  
7 Control Act, a controlled substance as listed in the  
8 Illinois Controlled Substances Act, an intoxicating  
9 compound as listed in the Use of Intoxicating Compounds  
10 Act, or methamphetamine as listed in the Methamphetamine  
11 Control and Community Protection Act, in which case the  
12 penalty shall be as prescribed in Section 6-208.1;

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

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

22 34. Has committed a violation of Section 11-1301.5 of  
23 this Code;

24 35. Has committed a violation of Section 11-1301.6 of  
25 this Code;

26 36. Is under the age of 21 years at the time of arrest

1 and has been convicted of not less than 2 offenses against  
2 traffic regulations governing the movement of vehicles  
3 committed within any 24 month period. No revocation or  
4 suspension shall be entered more than 6 months after the  
5 date of last conviction;

6 37. Has committed a violation of subsection (c) of  
7 Section 11-907 of this Code that resulted in damage to the  
8 property of another or the death or injury of another;

9 38. Has been convicted of a violation of Section 6-20  
10 of the Liquor Control Act of 1934 or a similar provision of  
11 a local ordinance;

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

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

16 41. Has committed a second or subsequent violation of  
17 Section 11-605.1 of this Code within 2 years of the date of  
18 the previous violation, in which case the suspension shall  
19 be for 90 days;

20 42. Has committed a violation of subsection (a-1) of  
21 Section 11-1301.3 of this Code;

22 43. Has received a disposition of court supervision for  
23 a violation of subsection (a), (d), or (e) of Section 6-20  
24 of the Liquor Control Act of 1934 or a similar provision of  
25 a local ordinance, in which case the suspension shall be  
26 for a period of 3 months;

1           44. Is under the age of 21 years at the time of arrest  
2           and has been convicted of an offense against traffic  
3           regulations governing the movement of vehicles after  
4           having previously had his or her driving privileges  
5           suspended or revoked pursuant to subparagraph 36 of this  
6           Section; or

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

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

21          (b) If any conviction forming the basis of a suspension or  
22          revocation authorized under this Section is appealed, the  
23          Secretary of State may rescind or withhold the entry of the  
24          order of suspension or revocation, as the case may be, provided  
25          that a certified copy of a stay order of a court is filed with  
26          the Secretary of State. If the conviction is affirmed on

1 appeal, the date of the conviction shall relate back to the  
2 time the original judgment of conviction was entered and the 6  
3 month limitation prescribed shall not apply.

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

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

1 driver's license. Upon receipt of a properly completed  
2 affidavit, the Secretary of State shall issue the driver a  
3 permit to operate a vehicle in connection with the driver's  
4 regular occupation only. Unless the permit is issued by the  
5 Secretary of State prior to the date of suspension, the  
6 privilege to drive any motor vehicle shall be suspended as  
7 set forth in the notice that was mailed under this Section.  
8 If an affidavit is received subsequent to the effective  
9 date of this suspension, a permit may be issued for the  
10 remainder of the suspension period.

11 The provisions of this subparagraph shall not apply to  
12 any driver required to possess a CDL for the purpose of  
13 operating a commercial motor vehicle.

14 Any person who falsely states any fact in the affidavit  
15 required herein shall be guilty of perjury under Section  
16 6-302 and upon conviction thereof shall have all driving  
17 privileges revoked without further rights.

18 3. At the conclusion of a hearing under Section 2-118  
19 of this Code, the Secretary of State shall either rescind  
20 or continue an order of revocation or shall substitute an  
21 order of suspension; or, good cause appearing therefor,  
22 rescind, continue, change, or extend the order of  
23 suspension. If the Secretary of State does not rescind the  
24 order, the Secretary may upon application, to relieve undue  
25 hardship (as defined by the rules of the Secretary of  
26 State), issue a restricted driving permit granting the

1 privilege of driving a motor vehicle between the  
2 petitioner's residence and petitioner's place of  
3 employment or within the scope of the petitioner's  
4 employment related duties, or to allow the petitioner to  
5 transport himself or herself, or a family member of the  
6 petitioner's household to a medical facility, to receive  
7 necessary medical care, to allow the petitioner to  
8 transport himself or herself to and from alcohol or drug  
9 remedial or rehabilitative activity recommended by a  
10 licensed service provider, or to allow the petitioner to  
11 transport himself or herself or a family member of the  
12 petitioner's household to classes, as a student, at an  
13 accredited educational institution, or to allow the  
14 petitioner to transport children, elderly persons, or  
15 disabled persons who do not hold driving privileges and are  
16 living in the petitioner's household to and from daycare.  
17 The petitioner must demonstrate that no alternative means  
18 of 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 revoked or  
24 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  
2 of alcohol or other drugs is recited as an element of  
3 the 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  
6 driving permit, may not operate a vehicle unless it has  
7 been equipped with an ignition interlock device as  
8 defined in Section 1-129.1.

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

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

19 (ii) a statutory summary suspension under  
20 Section 11-501.1; or

21 (iii) a suspension under Section 6-203.1;  
22 arising out of separate occurrences; that person, if  
23 issued a restricted driving permit, may not operate a  
24 vehicle unless it has been equipped with an ignition  
25 interlock device as defined in Section 1-129.1.

26 (C) The person issued a permit conditioned upon the

1 use of an ignition interlock device must pay to the  
2 Secretary of State DUI Administration Fund an amount  
3 not to exceed \$30 per month. The Secretary shall  
4 establish by rule the amount and the procedures, terms,  
5 and conditions relating to these fees.

6 (D) If the restricted driving permit is issued for  
7 employment purposes, then the prohibition against  
8 operating a motor vehicle that is not equipped with an  
9 ignition interlock device does not apply to the  
10 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  
14 restricted driving permit for a period deemed  
15 appropriate, except that all permits shall expire  
16 within one year from the date of issuance. The  
17 Secretary may not, however, issue a restricted driving  
18 permit to any person whose current revocation is the  
19 result of a second or subsequent conviction for a  
20 violation of Section 11-501 of this Code or a similar  
21 provision of a local ordinance or any similar  
22 out-of-state offense, or Section 9-3 of the Criminal  
23 Code of 1961, where the use of alcohol or other drugs  
24 is recited as an element of the offense, or any similar  
25 out-of-state offense, or any combination of those  
26 offenses, until the expiration of at least one year



1 from the date of the revocation. A restricted driving  
2 permit issued under this Section shall be subject to  
3 cancellation, revocation, and suspension by the  
4 Secretary of State in like manner and for like cause as  
5 a driver's license issued under this Code may be  
6 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,  
10 suspension, or cancellation of a restricted driving  
11 permit. The Secretary of State may, as a condition to  
12 the issuance of a restricted driving permit, require  
13 the applicant to participate in a designated driver  
14 remedial or rehabilitative program. The Secretary of  
15 State is authorized to cancel a restricted driving  
16 permit if the permit holder does not successfully  
17 complete the program.

18 (c-3) In the case of a suspension under paragraph 43 of  
19 subsection (a), reports received by the Secretary of State  
20 under this Section shall, except during the actual time the  
21 suspension is in effect, be privileged information and for use  
22 only by the courts, police officers, prosecuting authorities,  
23 the driver licensing administrator of any other state, the  
24 Secretary of State, or the parent or legal guardian of a driver  
25 under the age of 18. However, beginning January 1, 2008, if the  
26 person is a CDL holder, the suspension shall also be made

1 available to the driver licensing administrator of any other  
2 state, the U.S. Department of Transportation, and the affected  
3 driver or motor carrier or prospective motor carrier upon  
4 request.

5 (c-4) In the case of a suspension under paragraph 43 of  
6 subsection (a), the Secretary of State shall notify the person  
7 by mail that his or her driving privileges and driver's license  
8 will be suspended one month after the date of the mailing of  
9 the notice.

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

17 (d) This Section is subject to the provisions of the  
18 Drivers License Compact.

19 (e) The Secretary of State shall not issue a restricted  
20 driving permit to a person under the age of 16 years ~~whose~~  
21 ~~driving privileges have been suspended or revoked under any~~  
22 ~~provisions of this Code.~~

23 (f) In accordance with 49 C.F.R. 384, the Secretary of  
24 State may not issue a restricted driving permit for the  
25 operation of a commercial motor vehicle to a person holding a  
26 CDL whose driving privileges have been suspended, revoked,

1 cancelled, or disqualified under any provisions of this Code.

2 (Source: P.A. 95-166, eff. 1-1-08; 95-310, eff. 1-1-08; 95-382,  
3 eff. 8-23-07; 95-400, eff. 1-1-09; 95-627, eff. 6-1-08; 95-848,  
4 eff. 1-1-09; 95-876, eff. 8-21-08; 95-894, eff. 1-1-09; 96-328,  
5 eff. 8-11-09; 96-607, eff. 8-24-09; 96-1180, eff. 1-1-11;  
6 96-1305, eff. 1-1-11; revised 9-2-10.)

7 (Text of Section after amendment by P.A. 96-1344)

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

10 (a) The Secretary of State is authorized to suspend or  
11 revoke the driving privileges of any person without preliminary  
12 hearing upon a showing of the person's records or other  
13 sufficient evidence that the person:

14 1. Has committed an offense for which mandatory  
15 revocation of a driver's license or permit is required upon  
16 conviction;

17 2. Has been convicted of not less than 3 offenses  
18 against traffic regulations governing the movement of  
19 vehicles committed within any 12 month period. No  
20 revocation or suspension shall be entered more than 6  
21 months after the date of last conviction;

22 3. Has been repeatedly involved as a driver in motor  
23 vehicle collisions or has been repeatedly convicted of  
24 offenses against laws and ordinances regulating the  
25 movement of traffic, to a degree that indicates lack of

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

5 4. Has by the unlawful operation of a motor vehicle  
6 caused or contributed to an accident resulting in injury  
7 requiring immediate professional treatment in a medical  
8 facility or doctor's office to any person, except that any  
9 suspension or revocation imposed by the Secretary of State  
10 under the provisions of this subsection shall start no  
11 later than 6 months after being convicted of violating a  
12 law or ordinance regulating the movement of traffic, which  
13 violation is related to the accident, or shall start not  
14 more than one year after the date of the accident,  
15 whichever date occurs later;

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

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

22 7. Has refused or failed to submit to an examination  
23 provided for by Section 6-207 or has failed to pass the  
24 examination;

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

1           9. Has made a false statement or knowingly concealed a  
2 material fact or has used false information or  
3 identification in any application for a license,  
4 identification card, or permit;

5           10. Has possessed, displayed, or attempted to  
6 fraudulently use any license, identification card, or  
7 permit not issued to the person;

8           11. Has operated a motor vehicle upon a highway of this  
9 State when the person's driving privilege or privilege to  
10 obtain a driver's license or permit was revoked or  
11 suspended unless the operation was authorized by a  
12 monitoring device driving permit, judicial driving permit  
13 issued prior to January 1, 2009, probationary license to  
14 drive, or a restricted driving permit issued under this  
15 Code;

16           12. Has submitted to any portion of the application  
17 process for another person or has obtained the services of  
18 another person to submit to any portion of the application  
19 process for the purpose of obtaining a license,  
20 identification card, or permit for some other person;

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

24           14. Has committed a violation of Section 6-301,  
25 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B  
26 of the Illinois Identification Card Act;

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

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

7           17. Has refused to submit to a test, or tests, as  
8 required under Section 11-501.1 of this Code and the person  
9 has not sought a hearing as provided for in Section  
10 11-501.1;

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

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

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

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

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

1 year;

2 23. Has, as a driver, been convicted of committing a  
3 violation of paragraph (a) of Section 11-502 of this Code  
4 for a second or subsequent time within one year of a  
5 similar violation;

6 24. Has been convicted by a court-martial or punished  
7 by non-judicial punishment by military authorities of the  
8 United States at a military installation in Illinois of or  
9 for a traffic related offense that is the same as or  
10 similar to an offense specified under Section 6-205 or  
11 6-206 of this Code;

12 25. Has permitted any form of identification to be used  
13 by another in the application process in order to obtain or  
14 attempt to obtain a license, identification card, or  
15 permit;

16 26. Has altered or attempted to alter a license or has  
17 possessed an altered license, identification card, or  
18 permit;

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

21 28. Has been convicted of the illegal possession, while  
22 operating or in actual physical control, as a driver, of a  
23 motor vehicle, of any controlled substance prohibited  
24 under the Illinois Controlled Substances Act, any cannabis  
25 prohibited under the Cannabis Control Act, or any  
26 methamphetamine prohibited under the Methamphetamine

1 Control and Community Protection Act, in which case the  
2 person's driving privileges shall be suspended for one  
3 year, and any driver who is convicted of a second or  
4 subsequent offense, within 5 years of a previous  
5 conviction, for the illegal possession, while operating or  
6 in actual physical control, as a driver, of a motor  
7 vehicle, of any controlled substance prohibited under the  
8 Illinois Controlled Substances Act, any cannabis  
9 prohibited under the Cannabis Control Act, or any  
10 methamphetamine prohibited under the Methamphetamine  
11 Control and Community Protection Act shall be suspended for  
12 5 years. Any defendant found guilty of this offense while  
13 operating a motor vehicle, shall have an entry made in the  
14 court record by the presiding judge that this offense did  
15 occur while the defendant was operating a motor vehicle and  
16 order the clerk of the court to report the violation to the  
17 Secretary of State;

18 29. Has been convicted of the following offenses that  
19 were committed while the person was operating or in actual  
20 physical control, as a driver, of a motor vehicle: criminal  
21 sexual assault, predatory criminal sexual assault of a  
22 child, aggravated criminal sexual assault, criminal sexual  
23 abuse, aggravated criminal sexual abuse, juvenile pimping,  
24 soliciting for a juvenile prostitute and the manufacture,  
25 sale or delivery of controlled substances or instruments  
26 used for illegal drug use or abuse in which case the



1 driver's driving privileges shall be suspended for one  
2 year;

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

7 31. Has refused to submit to a test as required by  
8 Section 11-501.6 or has submitted to a test resulting in an  
9 alcohol concentration of 0.08 or more or any amount of a  
10 drug, substance, or compound resulting from the unlawful  
11 use or consumption of cannabis as listed in the Cannabis  
12 Control Act, a controlled substance as listed in the  
13 Illinois Controlled Substances Act, an intoxicating  
14 compound as listed in the Use of Intoxicating Compounds  
15 Act, or methamphetamine as listed in the Methamphetamine  
16 Control and Community Protection Act, in which case the  
17 penalty shall be as prescribed in Section 6-208.1;

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

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

1           34. Has committed a violation of Section 11-1301.5 of  
2 this Code;

3           35. Has committed a violation of Section 11-1301.6 of  
4 this Code;

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

11           37. Has committed a violation of subsection (c) of  
12 Section 11-907 of this Code that resulted in damage to the  
13 property of another or the death or injury of another;

14           38. Has been convicted of a violation of Section 6-20  
15 of the Liquor Control Act of 1934 or a similar provision of  
16 a local ordinance;

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

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

21           41. Has committed a second or subsequent violation of  
22 Section 11-605.1 of this Code within 2 years of the date of  
23 the previous violation, in which case the suspension shall  
24 be for 90 days;

25           42. Has committed a violation of subsection (a-1) of  
26 Section 11-1301.3 of this Code;

1           43. Has received a disposition of court supervision for  
2           a violation of subsection (a), (d), or (e) of Section 6-20  
3           of the Liquor Control Act of 1934 or a similar provision of  
4           a local ordinance, in which case the suspension shall be  
5           for a period of 3 months;

6           44. Is under the age of 21 years at the time of arrest  
7           and has been convicted of an offense against traffic  
8           regulations governing the movement of vehicles after  
9           having previously had his or her driving privileges  
10          suspended or revoked pursuant to subparagraph 36 of this  
11          Section; or

12          45. 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 the  
14 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  
9 employment related duties, or to allow the petitioner to  
10 transport himself or herself, or a family member of the  
11 petitioner's household to a medical facility, to receive  
12 necessary medical care, to allow the petitioner to  
13 transport himself or herself to and from alcohol or drug  
14 remedial or rehabilitative activity recommended by a  
15 licensed service provider, or to allow the petitioner to  
16 transport himself or herself or a family member of the  
17 petitioner's household to classes, as a student, at an  
18 accredited educational institution, or to allow the  
19 petitioner to transport children, elderly persons, or  
20 disabled persons who do not hold driving privileges and are  
21 living in the petitioner's household to and from daycare.  
22 The petitioner must demonstrate that no alternative means  
23 of transportation is reasonably available and that the  
24 petitioner will not endanger the public safety or welfare.  
25 Those multiple offenders identified in subdivision (b)4 of  
26 Section 6-208 of this Code, however, shall not be eligible

1 for the issuance of a restricted driving permit.

2 (A) If a person's license or permit is revoked or  
3 suspended due to 2 or more convictions of violating  
4 Section 11-501 of this Code or a similar provision of a  
5 local ordinance or a similar out-of-state offense, or  
6 Section 9-3 of the Criminal Code of 1961, where the use  
7 of alcohol or other drugs is recited as an element of  
8 the offense, or a similar out-of-state offense, or a  
9 combination of these offenses, arising out of separate  
10 occurrences, that person, if issued a restricted  
11 driving permit, may not operate a vehicle unless it has  
12 been equipped with an ignition interlock device as  
13 defined in Section 1-129.1.

14 (B) If a person's license or permit is revoked or  
15 suspended 2 or more times within a 10 year period due  
16 to any combination of:

17 (i) a single conviction of violating Section  
18 11-501 of this Code or a similar provision of a  
19 local ordinance or a similar out-of-state offense  
20 or Section 9-3 of the Criminal Code of 1961, where  
21 the use of alcohol or other drugs is recited as an  
22 element of the offense, or a similar out-of-state  
23 offense; or

24 (ii) a statutory summary suspension or  
25 revocation under Section 11-501.1; or

26 (iii) a suspension under Section 6-203.1;

1 arising out of separate occurrences; that person, if  
2 issued a restricted driving permit, may not operate a  
3 vehicle unless it has been equipped with an ignition  
4 interlock device as defined in Section 1-129.1.

5 (C) The person issued a permit conditioned upon the  
6 use of an ignition interlock device must pay to the  
7 Secretary of State DUI Administration Fund an amount  
8 not to exceed \$30 per month. The Secretary shall  
9 establish by rule the amount and the procedures, terms,  
10 and conditions relating to these fees.

11 (D) If the restricted driving permit is issued for  
12 employment purposes, then the prohibition against  
13 operating a motor vehicle that is not equipped with an  
14 ignition interlock device does not apply to the  
15 operation of an occupational vehicle owned or leased by  
16 that person's employer when used solely for employment  
17 purposes.

18 (E) In each case the Secretary may issue a  
19 restricted driving permit for a period deemed  
20 appropriate, except that all permits shall expire  
21 within one year from the date of issuance. The  
22 Secretary may not, however, issue a restricted driving  
23 permit to any person whose current revocation is the  
24 result of a second or subsequent conviction for a  
25 violation of Section 11-501 of this Code or a similar  
26 provision of a local ordinance or any similar



1 out-of-state offense, or Section 9-3 of the Criminal  
2 Code of 1961, where the use of alcohol or other drugs  
3 is recited as an element of the offense, or any similar  
4 out-of-state offense, or any combination of those  
5 offenses, until the expiration of at least one year  
6 from the date of the revocation. A restricted driving  
7 permit issued under this Section shall be subject to  
8 cancellation, revocation, and suspension by the  
9 Secretary of State in like manner and for like cause as  
10 a driver's license issued under this Code may be  
11 cancelled, revoked, or suspended; except that a  
12 conviction upon one or more offenses against laws or  
13 ordinances regulating the movement of traffic shall be  
14 deemed sufficient cause for the revocation,  
15 suspension, or cancellation of a restricted driving  
16 permit. The Secretary of State may, as a condition to  
17 the issuance of a restricted driving permit, require  
18 the applicant to participate in a designated driver  
19 remedial or rehabilitative program. The Secretary of  
20 State is authorized to cancel a restricted driving  
21 permit if the permit holder does not successfully  
22 complete the program.

23 (c-3) In the case of a suspension under paragraph 43 of  
24 subsection (a), reports received by the Secretary of State  
25 under this Section shall, except during the actual time the  
26 suspension is in effect, be privileged information and for use

1 only by the courts, police officers, prosecuting authorities,  
2 the driver licensing administrator of any other state, the  
3 Secretary of State, or the parent or legal guardian of a driver  
4 under the age of 18. However, beginning January 1, 2008, if the  
5 person is a CDL holder, the suspension shall also be made  
6 available to the driver licensing administrator of any other  
7 state, the U.S. Department of Transportation, and the affected  
8 driver or motor carrier or prospective motor carrier upon  
9 request.

10 (c-4) In the case of a suspension under paragraph 43 of  
11 subsection (a), the Secretary of State shall notify the person  
12 by mail that his or her driving privileges and driver's license  
13 will be suspended one month after the date of the mailing of  
14 the notice.

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

22 (d) This Section is subject to the provisions of the  
23 Drivers License Compact.

24 (e) The Secretary of State shall not issue a restricted  
25 driving permit to a person under the age of 16 years ~~whose~~  
26 ~~driving privileges have been suspended or revoked under any~~

1 ~~provisions of this Code.~~

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

7 (Source: P.A. 95-166, eff. 1-1-08; 95-310, eff. 1-1-08; 95-382,  
8 eff. 8-23-07; 95-400, eff. 1-1-09; 95-627, eff. 6-1-08; 95-848,  
9 eff. 1-1-09; 95-876, eff. 8-21-08; 95-894, eff. 1-1-09; 96-328,  
10 eff. 8-11-09; 96-607, eff. 8-24-09; 96-1180, eff. 1-1-11;  
11 96-1305, eff. 1-1-11; 96-1344, eff. 7-1-11; revised 9-2-10.)

12 (625 ILCS 5/7-702.1)

13 Sec. 7-702.1. Family financial responsibility driving  
14 permits.

15 (a) Following the entry of an order that an obligor has  
16 been found in contempt by the court for failure to pay court  
17 ordered child support payments or upon a motion by the obligor  
18 who is subject to having his or her driver's license suspended  
19 pursuant to subsection (b) of Section 7-703, the court may  
20 enter an order directing the Secretary of State to issue a  
21 family financial responsibility driving permit for the purpose  
22 of providing the obligor the privilege of operating a motor  
23 vehicle between the obligor's residence and place of  
24 employment, or within the scope of employment related duties;  
25 or for the purpose of providing transportation for the obligor

1 or a household member to receive alcohol treatment, other drug  
2 treatment, or medical care. If the obligor is unemployed, the  
3 court may issue the order for the purpose of seeking  
4 employment, which may be subject to the requirements set forth  
5 in subsection (a) of Section 505.1 of the Illinois Marriage and  
6 Dissolution of Marriage Act. Except upon a showing of good  
7 cause, any permit issued for the purpose of seeking employment  
8 shall be limited to Monday through Friday between the hours of  
9 8 a.m. and 12 p.m. The court may enter an order directing the  
10 issuance of a permit only if the obligor has proven to the  
11 satisfaction of the court that no alternative means of  
12 transportation are reasonably available for the above stated  
13 purposes. No permit shall be issued to a person under the age  
14 of 16 years ~~who possesses an instruction permit.~~

15 Upon entry of an order granting the issuance of a permit to  
16 an obligor, the court shall report this finding to the  
17 Secretary of State on a form prescribed by the Secretary. This  
18 form shall state whether the permit has been granted for  
19 employment or medical purposes and the specific days and hours  
20 for which limited driving privileges have been granted.

21 The family financial responsibility driving permit shall  
22 be subject to cancellation, invalidation, suspension, and  
23 revocation by the Secretary of State in the same manner and for  
24 the same reasons as a driver's license may be cancelled,  
25 invalidated, suspended, or revoked.

26 The Secretary of State shall, upon receipt of a certified

1 court order from the court of jurisdiction, issue a family  
2 financial responsibility driving permit. In order for this  
3 permit to be issued, an individual's driving privileges must be  
4 valid except for the family financial responsibility  
5 suspension. This permit shall be valid only for employment and  
6 medical purposes as set forth above. The permit shall state the  
7 days and hours for which limited driving privileges have been  
8 granted.

9 Any submitted court order that contains insufficient data  
10 or fails to comply with any provision of this Code shall not be  
11 used for issuance of the permit or entered to the individual's  
12 driving record but shall be returned to the court of  
13 jurisdiction indicating why the permit cannot be issued at that  
14 time. The Secretary of State shall also send notice of the  
15 return of the court order to the individual requesting the  
16 permit.

17 (b) Following certification of delinquency pursuant to  
18 subsection (c) of Section 7-702 of this Code, and upon petition  
19 by the obligor whose driver's license has been suspended under  
20 that subsection, the Department of Healthcare and Family  
21 Services may direct the Secretary of State to issue a family  
22 financial responsibility driving permit for the purpose of  
23 providing the obligor the privilege of operating a motor  
24 vehicle between the obligor's residence and place of  
25 employment, or within the scope of employment related duties,  
26 or for the purpose of providing transportation for the obligor

1 or a household member to receive alcohol treatment, other drug  
2 treatment, or medical care. If the obligor is unemployed, the  
3 Department of Healthcare and Family Services may direct the  
4 issuance of the permit for the purpose of seeking employment,  
5 which may be subject to the requirements set forth in  
6 subsection (a) of Section 505.1 of the Illinois Marriage and  
7 Dissolution of Marriage Act. Except upon a showing of good  
8 cause, any permit issued for the purpose of seeking employment  
9 shall be limited to Monday through Friday between the hours of  
10 8 a.m. and 12 p.m. The Department of Healthcare and Family  
11 Services may direct the issuance of a permit only if the  
12 obligor has proven to the Department's satisfaction that no  
13 alternative means of transportation is reasonably available  
14 for the above stated purposes.

15 The Department of Healthcare and Family Services shall  
16 report to the Secretary of State the finding granting a permit  
17 on a form prescribed by the Secretary of State. The form shall  
18 state the purpose for which the permit has been granted, the  
19 specific days and hours for which limited driving privileges  
20 are allowed, and the duration of the permit.

21 The family financial responsibility driving permit shall  
22 be subject to cancellation, invalidation, suspension, and  
23 revocation by the Secretary of State in the same manner and for  
24 the same reasons as a driver's license may be cancelled,  
25 invalidated, suspended, or revoked.

26 As directed by the Department of Healthcare and Family

1 Services, the Secretary of State shall issue a family financial  
2 responsibility driving permit, but only if the obligor's  
3 driving privileges are valid except for the family financial  
4 responsibility suspension. The permit shall state the purpose  
5 or purposes for which it was granted under this subsection, the  
6 specific days and hours for which limited driving privileges  
7 are allowed, and the duration of the permit.

8 If the Department of Healthcare and Family Services  
9 directive to issue a family financial responsibility driving  
10 permit contains insufficient data or fails to comply with any  
11 provision of this Code, a permit shall not be issued and the  
12 directive shall be returned to the Department of Healthcare and  
13 Family Services. The Secretary of State shall also send notice  
14 of the return of the Department's directive to the obligor  
15 requesting the permit.

16 (c) In accordance with 49 C.F.R. Part 384, the Secretary of  
17 State may not issue a family financial responsibility driving  
18 permit to any person for the operation of a commercial motor  
19 vehicle if the person's driving privileges have been suspended  
20 under any provisions of this Code.

21 (Source: P.A. 96-1284, eff. 1-1-11.)

22 Section 95. No acceleration or delay. Where this Act makes  
23 changes in a statute that is represented in this Act by text  
24 that is not yet or no longer in effect (for example, a Section  
25 represented by multiple versions), the use of that text does

1 not accelerate or delay the taking effect of (i) the changes  
2 made by this Act or (ii) provisions derived from any other  
3 Public Act.