

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 6-205, 6-206, 6-208, and 6-303 as follows:

6 (625 ILCS 5/6-205)

7 Sec. 6-205. Mandatory revocation of license or permit;
8 Hardship cases.

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

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

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

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

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

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

8 6. Conviction upon 3 charges of violation of Section
9 11-503 of this Code relating to the offense of reckless
10 driving committed within a period of 12 months;

11 7. Conviction of any offense defined in Section 4-102
12 of this Code;

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

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

16 10. Violation of Section 12-5 of the Criminal Code of
17 1961 or the Criminal Code of 2012 arising from the use of a
18 motor vehicle;

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

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

26 13. Violation of paragraph (a) of Section 11-502 of

1 this Code or a similar provision of a local ordinance if
2 the driver has been previously convicted of a violation of
3 that Section or a similar provision of a local ordinance
4 and the driver was less than 21 years of age at the time of
5 the offense;

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

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

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

22 17. Violation of subsection (a-2) of Section 11-1301.3
23 of this Code or a similar provision of a local ordinance;

24 18. A second or subsequent conviction of illegal
25 possession, while operating or in actual physical control,
26 as a driver, of a motor vehicle, of any controlled

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

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

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

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

22 3. Of any person adjudicated under the Juvenile Court
23 Act of 1987 based on an offense determined to have been
24 committed in furtherance of the criminal activities of an
25 organized gang as provided in Section 5-710 of that Act,
26 and that involved the operation or use of a motor vehicle

1 or the use of a driver's license or permit. The revocation
2 shall remain in effect for the period determined by the
3 court. Upon the direction of the court, the Secretary shall
4 issue the person a judicial driving permit, also known as a
5 JDP. The JDP shall be subject to the same terms as a JDP
6 issued under Section 6-206.1, except that the court may
7 direct that a JDP issued under this subdivision (b) (3) be
8 effective immediately.

9 (c) (1) Whenever a person is convicted of any of the
10 offenses enumerated in this Section, the court may recommend
11 and the Secretary of State in his discretion, without regard to
12 whether the recommendation is made by the court may, upon
13 application, issue to the person a restricted driving permit
14 granting the privilege of driving a motor vehicle between the
15 petitioner's residence and petitioner's place of employment or
16 within the scope of the petitioner's employment related duties,
17 or to allow the petitioner to transport himself or herself or a
18 family member of the petitioner's household to a medical
19 facility for the receipt of necessary medical care or to allow
20 the petitioner to transport himself or herself to and from
21 alcohol or drug remedial or rehabilitative activity
22 recommended by a licensed service provider, or to allow the
23 petitioner to transport himself or herself or a family member
24 of the petitioner's household to classes, as a student, at an
25 accredited educational institution, or to allow the petitioner
26 to transport children, elderly persons, or disabled persons who

1 do not hold driving privileges and are living in the
2 petitioner's household to and from daycare; if the petitioner
3 is able to demonstrate that no alternative means of
4 transportation is reasonably available and that the petitioner
5 will not endanger the public safety or welfare; provided that
6 the Secretary's discretion shall be limited to cases where
7 undue hardship, as defined by the rules of the Secretary of
8 State, would result from a failure to issue the restricted
9 driving permit. ~~Those multiple offenders identified in~~
10 ~~subdivision (b)4 of Section 6-208 of this Code, however, shall~~
11 ~~not be eligible for the issuance of a restricted driving~~
12 ~~permit.~~

13 (1.5) A person subject to the provisions of paragraph 4
14 of subsection (b) of Section 6-208 of this Code may make
15 application for a restricted driving permit at a hearing
16 conducted under Section 2-118 of this Code after the
17 expiration of 5 years from the effective date of the most
18 recent revocation, or after 5 years from the date of
19 release from a period of imprisonment resulting from a
20 conviction of the most recent offense, whichever is later,
21 provided the person, in addition to all other requirements
22 of the Secretary, shows by clear and convincing evidence:

23 (A) a minimum of 3 years of uninterrupted
24 abstinence from alcohol and the unlawful use or
25 consumption of cannabis under the Cannabis Control
26 Act, a controlled substance under the Illinois

1 Controlled Substances Act, an intoxicating compound
2 under the Use of Intoxicating Compounds Act, or
3 methamphetamine under the Methamphetamine Control and
4 Community Protection Act; and

5 (B) the successful completion of any
6 rehabilitative treatment and involvement in any
7 ongoing rehabilitative activity that may be
8 recommended by a properly licensed service provider
9 according to an assessment of the person's alcohol or
10 drug use under Section 11-501.01 of this Code.

11 In determining whether an applicant is eligible for a
12 restricted driving permit under this paragraph (1.5), the
13 Secretary may consider any relevant evidence, including,
14 but not limited to, testimony, affidavits, records, and the
15 results of regular alcohol or drug tests. Persons subject
16 to the provisions of paragraph 4 of subsection (b) of
17 Section 6-208 of this Code and who have been convicted of
18 more than one violation of paragraph (3), paragraph (4), or
19 paragraph (5) of subsection (a) of Section 11-501 of this
20 Code shall not be eligible to apply for a restricted
21 driving permit.

22 A restricted driving permit issued under this
23 paragraph (1.5) shall provide that the holder may only
24 operate motor vehicles equipped with an ignition interlock
25 device as required under paragraph (2) of subsection (c) of
26 this Section and subparagraph (A) of paragraph 3 of

1 subsection (c) of Section 6-206 of this Code. The Secretary
2 may revoke a restricted driving permit or amend the
3 conditions of a restricted driving permit issued under this
4 paragraph (1.5) if the holder operates a vehicle that is
5 not equipped with an ignition interlock device, or for any
6 other reason authorized under this Code.

7 A restricted driving permit issued under this
8 paragraph (1.5) shall be revoked, and the holder barred
9 from applying for or being issued a restricted driving
10 permit in the future, if the holder is subsequently
11 convicted of a violation of Section 11-501 of this Code, a
12 similar provision of a local ordinance, or a similar
13 offense in another state.

14 (2) If a person's license or permit is revoked or
15 suspended due to 2 or more convictions of violating Section
16 11-501 of this Code or a similar provision of a local
17 ordinance or a similar out-of-state offense, or Section 9-3
18 of the Criminal Code of 1961 or the Criminal Code of 2012,
19 where the use of alcohol or other drugs is recited as an
20 element of the offense, or a similar out-of-state offense,
21 or a combination of these offenses, arising out of separate
22 occurrences, that person, if issued a restricted driving
23 permit, may not operate a vehicle unless it has been
24 equipped with an ignition interlock device as defined in
25 Section 1-129.1.

26 (3) If:

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

4 (i) a single conviction of violating Section
5 11-501 of this Code or a similar provision of a
6 local ordinance or a similar out-of-state offense,
7 or Section 9-3 of the Criminal Code of 1961 or the
8 Criminal Code of 2012, where the use of alcohol or
9 other drugs is recited as an element of the
10 offense, or a similar out-of-state offense; or

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

13 (iii) a suspension pursuant to Section
14 6-203.1;

15 arising out of separate occurrences; or

16 (B) a person has been convicted of one violation of
17 Section 6-303 of this Code committed while his or her
18 driver's license, permit, or privilege was revoked
19 because of a violation of Section 9-3 of the Criminal
20 Code of 1961 or the Criminal Code of 2012, relating to
21 the offense of reckless homicide where the use of
22 alcohol or other drugs was recited as an element of the
23 offense, or a similar provision of a law of another
24 state;

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

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

14 (6) In each case the Secretary of State may issue a
15 restricted driving permit for a period he deems
16 appropriate, except that the permit shall expire within one
17 year from the date of issuance. The Secretary may not,
18 however, issue a restricted driving permit to any person
19 whose current revocation is the result of a second or
20 subsequent conviction for a violation of Section 11-501 of
21 this Code or a similar provision of a local ordinance or
22 any similar out-of-state offense, or Section 9-3 of the
23 Criminal Code of 1961 or the Criminal Code of 2012, where
24 the use of alcohol or other drugs is recited as an element
25 of the offense, or any similar out-of-state offense, or any
26 combination of these offenses, until the expiration of at

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

21 (c-5) (Blank).

22 (c-6) If a person is convicted of a second violation of
23 operating a motor vehicle while the person's driver's license,
24 permit or privilege was revoked, where the revocation was for a
25 violation of Section 9-3 of the Criminal Code of 1961 or the
26 Criminal Code of 2012 relating to the offense of reckless

1 homicide or a similar out-of-state offense, the person's
2 driving privileges shall be revoked pursuant to subdivision
3 (a)(15) of this Section. The person may not make application
4 for a license or permit until the expiration of five years from
5 the effective date of the revocation or the expiration of five
6 years from the date of release from a term of imprisonment,
7 whichever is later.

8 (c-7) If a person is convicted of a third or subsequent
9 violation of operating a motor vehicle while the person's
10 driver's license, permit or privilege was revoked, where the
11 revocation was for a violation of Section 9-3 of the Criminal
12 Code of 1961 or the Criminal Code of 2012 relating to the
13 offense of reckless homicide or a similar out-of-state offense,
14 the person may never apply for a license or permit.

15 (d)(1) Whenever a person under the age of 21 is convicted
16 under Section 11-501 of this Code or a similar provision of a
17 local ordinance or a similar out-of-state offense, the
18 Secretary of State shall revoke the driving privileges of that
19 person. One year after the date of revocation, and upon
20 application, the Secretary of State may, if satisfied that the
21 person applying will not endanger the public safety or welfare,
22 issue a restricted driving permit granting the privilege of
23 driving a motor vehicle only between the hours of 5 a.m. and 9
24 p.m. or as otherwise provided by this Section for a period of
25 one year. After this one year period, and upon reapplication
26 for a license as provided in Section 6-106, upon payment of the

1 appropriate reinstatement fee provided under paragraph (b) of
2 Section 6-118, the Secretary of State, in his discretion, may
3 reinstate the petitioner's driver's license and driving
4 privileges, or extend the restricted driving permit as many
5 times as the Secretary of State deems appropriate, by
6 additional periods of not more than 12 months each.

7 (2) If a person's license or permit is revoked or
8 suspended due to 2 or more convictions of violating Section
9 11-501 of this Code or a similar provision of a local
10 ordinance or a similar out-of-state offense, or Section 9-3
11 of the Criminal Code of 1961 or the Criminal Code of 2012,
12 where the use of alcohol or other drugs is recited as an
13 element of the offense, or a similar out-of-state offense,
14 or a combination of these offenses, arising out of separate
15 occurrences, that person, if issued a restricted driving
16 permit, may not operate a vehicle unless it has been
17 equipped with an ignition interlock device as defined in
18 Section 1-129.1.

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

22 (A) a single conviction of violating Section
23 11-501 of this Code or a similar provision of a local
24 ordinance or a similar out-of-state offense, or
25 Section 9-3 of the Criminal Code of 1961 or the
26 Criminal Code of 2012, where the use of alcohol or

1 other drugs is recited as an element of the offense, or
2 a similar out-of-state offense; or

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

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

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

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

22 (6) A restricted driving permit issued under this
23 Section shall be subject to cancellation, revocation, and
24 suspension by the Secretary of State in like manner and for
25 like cause as a driver's license issued under this Code may
26 be cancelled, revoked, or suspended; except that a

1 conviction upon one or more offenses against laws or
2 ordinances regulating the movement of traffic shall be
3 deemed sufficient cause for the revocation, suspension, or
4 cancellation of a restricted driving permit.

5 (d-5) The revocation of the license, permit, or driving
6 privileges of a person convicted of a third or subsequent
7 violation of Section 6-303 of this Code committed while his or
8 her driver's license, permit, or privilege was revoked because
9 of a violation of Section 9-3 of the Criminal Code of 1961 or
10 the Criminal Code of 2012, relating to the offense of reckless
11 homicide, or a similar provision of a law of another state, is
12 permanent. The Secretary may not, at any time, issue a license
13 or permit to that person.

14 (e) This Section is subject to the provisions of the Driver
15 License Compact.

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

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

24 (h) The Secretary of State shall require the use of
25 ignition interlock devices on all vehicles owned by a person
26 who has been convicted of a second or subsequent offense under

1 Section 11-501 of this Code or a similar provision of a local
2 ordinance. The person must pay to the Secretary of State DUI
3 Administration Fund an amount not to exceed \$30 for each month
4 that he or she uses the device. The Secretary shall establish
5 by rule and regulation the procedures for certification and use
6 of the interlock system, the amount of the fee, and the
7 procedures, terms, and conditions relating to these fees.

8 (i) (Blank).

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

14 (Source: P.A. 96-328, eff. 8-11-09; 96-607, eff. 8-24-09;
15 96-1180, eff. 1-1-11; 96-1305, eff. 1-1-11; 96-1344, eff.
16 7-1-11; 97-333, eff. 8-12-11; 97-838, eff. 1-1-13; 97-844, eff.
17 1-1-13; 97-1150, eff. 1-25-13.)

18 (625 ILCS 5/6-206)

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

21 (a) The Secretary of State is authorized to suspend or
22 revoke the driving privileges of any person without preliminary
23 hearing upon a showing of the person's records or other
24 sufficient evidence that the person:

25 1. Has committed an offense for which mandatory

1 revocation of a driver's license or permit is required upon
2 conviction;

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

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

16 4. Has by the unlawful operation of a motor vehicle
17 caused or contributed to an accident resulting in injury
18 requiring immediate professional treatment in a medical
19 facility or doctor's office to any person, except that any
20 suspension or revocation imposed by the Secretary of State
21 under the provisions of this subsection shall start no
22 later than 6 months after being convicted of violating a
23 law or ordinance regulating the movement of traffic, which
24 violation is related to the accident, or shall start not
25 more than one year after the date of the accident,
26 whichever date occurs later;

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

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

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

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

12 9. Has made a false statement or knowingly concealed a
13 material fact or has used false information or
14 identification in any application for a license,
15 identification card, or permit;

16 10. Has possessed, displayed, or attempted to
17 fraudulently use any license, identification card, or
18 permit not issued to the person;

19 11. Has operated a motor vehicle upon a highway of this
20 State when the person's driving privilege or privilege to
21 obtain a driver's license or permit was revoked or
22 suspended unless the operation was authorized by a
23 monitoring device driving permit, judicial driving permit
24 issued prior to January 1, 2009, probationary license to
25 drive, or a restricted driving permit issued under this
26 Code;

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

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

9 14. Has committed a violation of Section 6-301,
10 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B
11 of the Illinois Identification Card Act;

12 15. Has been convicted of violating Section 21-2 of the
13 Criminal Code of 1961 or the Criminal Code of 2012 relating
14 to criminal trespass to vehicles in which case, the
15 suspension shall be for one year;

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

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

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

25 19. Has committed a violation of paragraph (a) or (b)
26 of Section 6-101 relating to driving without a driver's

1 license;

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

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

8 22. Has used a motor vehicle in violating paragraph
9 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
10 the Criminal Code of 1961 or the Criminal Code of 2012
11 relating to unlawful use of weapons, in which case the
12 suspension shall be for one year;

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

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

23 25. Has permitted any form of identification to be used
24 by another in the application process in order to obtain or
25 attempt to obtain a license, identification card, or
26 permit;

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

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

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

20 29. Has been convicted of the following offenses that
21 were committed while the person was operating or in actual
22 physical control, as a driver, of a motor vehicle: criminal
23 sexual assault, predatory criminal sexual assault of a
24 child, aggravated criminal sexual assault, criminal sexual
25 abuse, aggravated criminal sexual abuse, juvenile pimping,
26 soliciting for a juvenile prostitute, promoting juvenile

1 prostitution as described in subdivision (a)(1), (a)(2),
2 or (a)(3) of Section 11-14.4 of the Criminal Code of 1961
3 or the Criminal Code of 2012, and the manufacture, sale or
4 delivery of controlled substances or instruments used for
5 illegal drug use or abuse in which case the driver's
6 driving privileges shall be suspended for one year;

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

11 31. Has refused to submit to a test as required by
12 Section 11-501.6 of this Code or Section 5-16c of the Boat
13 Registration and Safety Act or has submitted to a test
14 resulting in an alcohol concentration of 0.08 or more or
15 any amount of a drug, substance, or compound resulting from
16 the unlawful use or consumption of cannabis as listed in
17 the Cannabis Control Act, a controlled substance as listed
18 in the Illinois Controlled Substances Act, an intoxicating
19 compound as listed in the Use of Intoxicating Compounds
20 Act, or methamphetamine as listed in the Methamphetamine
21 Control and Community Protection Act, in which case the
22 penalty shall be as prescribed in Section 6-208.1;

23 32. Has been convicted of Section 24-1.2 of the
24 Criminal Code of 1961 or the Criminal Code of 2012 relating
25 to the aggravated discharge of a firearm if the offender
26 was located in a motor vehicle at the time the firearm was

1 discharged, in which case the suspension shall be for 3
2 years;

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

7 34. Has committed a violation of Section 11-1301.5 of
8 this Code or a similar provision of a local ordinance;

9 35. Has committed a violation of Section 11-1301.6 of
10 this Code or a similar provision of a local ordinance;

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

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

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

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

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

1 41. Has committed a second or subsequent violation of
2 Section 11-605.1 of this Code, a similar provision of a
3 local ordinance, or a similar violation in any other state
4 within 2 years of the date of the previous violation, in
5 which case the suspension shall be for 90 days;

6 42. Has committed a violation of subsection (a-1) of
7 Section 11-1301.3 of this Code or a similar provision of a
8 local ordinance;

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

14 44. Is under the age of 21 years at the time of arrest
15 and has been convicted of an offense against traffic
16 regulations governing the movement of vehicles after
17 having previously had his or her driving privileges
18 suspended or revoked pursuant to subparagraph 36 of this
19 Section;

20 45. Has, in connection with or during the course of a
21 formal hearing conducted under Section 2-118 of this Code:
22 (i) committed perjury; (ii) submitted fraudulent or
23 falsified documents; (iii) submitted documents that have
24 been materially altered; or (iv) submitted, as his or her
25 own, documents that were in fact prepared or composed for
26 another person;

1 46. Has committed a violation of subsection (j) of
2 Section 3-413 of this Code; or

3 47. Has committed a violation of Section 11-502.1 of
4 this Code.

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

12 (b) If any conviction forming the basis of a suspension or
13 revocation authorized under this Section is appealed, the
14 Secretary of State may rescind or withhold the entry of the
15 order of suspension or revocation, as the case may be, provided
16 that a certified copy of a stay order of a court is filed with
17 the Secretary of State. If the conviction is affirmed on
18 appeal, the date of the conviction shall relate back to the
19 time the original judgment of conviction was entered and the 6
20 month limitation prescribed shall not apply.

21 (c) 1. Upon suspending or revoking the driver's license or
22 permit of any person as authorized in this Section, the
23 Secretary of State shall immediately notify the person in
24 writing of the revocation or suspension. The notice to be
25 deposited in the United States mail, postage prepaid, to the
26 last known address of the person.

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

1 The provisions of this subparagraph shall not apply to any
2 driver required to possess a CDL for the purpose of operating a
3 commercial motor vehicle.

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

8 3. At the conclusion of a hearing under Section 2-118 of
9 this Code, the Secretary of State shall either rescind or
10 continue an order of revocation or shall substitute an order of
11 suspension; or, good cause appearing therefor, rescind,
12 continue, change, or extend the order of suspension. If the
13 Secretary of State does not rescind the order, the Secretary
14 may upon application, to relieve undue hardship (as defined by
15 the rules of the Secretary of State), issue a restricted
16 driving permit granting the privilege of driving a motor
17 vehicle between the petitioner's residence and petitioner's
18 place of employment or within the scope of the petitioner's
19 employment related duties, or to allow the petitioner to
20 transport himself or herself, or a family member of the
21 petitioner's household to a medical facility, to receive
22 necessary medical care, to allow the petitioner to transport
23 himself or herself to and from alcohol or drug remedial or
24 rehabilitative activity recommended by a licensed service
25 provider, or to allow the petitioner to transport himself or
26 herself or a family member of the petitioner's household to

1 classes, as a student, at an accredited educational
2 institution, or to allow the petitioner to transport children,
3 elderly persons, or disabled persons who do not hold driving
4 privileges and are living in the petitioner's household to and
5 from daycare. The petitioner must demonstrate that no
6 alternative means of transportation is reasonably available
7 and that the petitioner will not endanger the public safety or
8 welfare. ~~Those multiple offenders identified in subdivision~~
9 ~~(b)4 of Section 6-208 of this Code, however, shall not be~~
10 ~~eligible for the issuance of a restricted driving permit.~~

11 (A) If a person's license or permit is revoked or
12 suspended due to 2 or more convictions of violating Section
13 11-501 of this Code or a similar provision of a local
14 ordinance or a similar out-of-state offense, or Section 9-3
15 of the Criminal Code of 1961 or the Criminal Code of 2012,
16 where the use of alcohol or other drugs is recited as an
17 element of the offense, or a similar out-of-state offense,
18 or a combination of these offenses, arising out of separate
19 occurrences, that person, if issued a restricted driving
20 permit, may not operate a vehicle unless it has been
21 equipped with an ignition interlock device as defined in
22 Section 1-129.1.

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

26 (i) a single conviction of violating Section

1 11-501 of this Code or a similar provision of a local
2 ordinance or a similar out-of-state offense or Section
3 9-3 of the Criminal Code of 1961 or the Criminal Code
4 of 2012, where the use of alcohol or other drugs is
5 recited as an element of the offense, or a similar
6 out-of-state offense; or

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

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

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

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

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

26 (E) In each case the Secretary may issue a restricted

1 driving permit for a period deemed appropriate, except that
2 all permits shall expire within one year from the date of
3 issuance. The Secretary may not, however, issue a
4 restricted driving permit to any person whose current
5 revocation is the result of a second or subsequent
6 conviction for a violation of Section 11-501 of this Code
7 or a similar provision of a local ordinance or any similar
8 out-of-state offense, or Section 9-3 of the Criminal Code
9 of 1961 or the Criminal Code of 2012, where the use of
10 alcohol or other drugs is recited as an element of the
11 offense, or any similar out-of-state offense, or any
12 combination of those offenses, until the expiration of at
13 least one year from the date of the revocation. A
14 restricted driving permit issued under this Section shall
15 be subject to cancellation, revocation, and suspension by
16 the Secretary of State in like manner and for like cause as
17 a driver's license issued under this Code may be cancelled,
18 revoked, or suspended; except that a conviction upon one or
19 more offenses against laws or ordinances regulating the
20 movement of traffic shall be deemed sufficient cause for
21 the revocation, suspension, or cancellation of a
22 restricted driving permit. The Secretary of State may, as a
23 condition to the issuance of a restricted driving permit,
24 require the applicant to participate in a designated driver
25 remedial or rehabilitative program. The Secretary of State
26 is authorized to cancel a restricted driving permit if the

1 permit holder does not successfully complete the program.

2 (F) A person subject to the provisions of paragraph
3 4 of subsection (b) of Section 6-208 of this Code may
4 make application for a restricted driving permit at a
5 hearing conducted under Section 2-118 of this Code
6 after the expiration of 5 years from the effective date
7 of the most recent revocation or after 5 years from the
8 date of release from a period of imprisonment resulting
9 from a conviction of the most recent offense, whichever
10 is later, provided the person, in addition to all other
11 requirements of the Secretary, shows by clear and
12 convincing evidence:

13 (i) a minimum of 3 years of uninterrupted
14 abstinence from alcohol and the unlawful use or
15 consumption of cannabis under the Cannabis Control
16 Act, a controlled substance under the Illinois
17 Controlled Substances Act, an intoxicating
18 compound under the Use of Intoxicating Compounds
19 Act, or methamphetamine under the Methamphetamine
20 Control and Community Protection Act; and

21 (ii) the successful completion of any
22 rehabilitative treatment and involvement in any
23 ongoing rehabilitative activity that may be
24 recommended by a properly licensed service
25 provider according to an assessment of the
26 person's alcohol or drug use under Section

1 11-501.01 of this Code.

2 In determining whether an applicant is eligible
3 for a restricted driving permit under this
4 subparagraph (F), the Secretary may consider any
5 relevant evidence, including, but not limited to,
6 testimony, affidavits, records, and the results of
7 regular alcohol or drug tests. Persons subject to the
8 provisions of paragraph 4 of subsection (b) of Section
9 6-208 of this Code and who have been convicted of more
10 than one violation of paragraph (3), paragraph (4), or
11 paragraph (5) of subsection (a) of Section 11-501 of
12 this Code shall not be eligible to apply for a
13 restricted driving permit under this subparagraph (F).

14 A restricted driving permit issued under this
15 subparagraph (F) shall provide that the holder may only
16 operate motor vehicles equipped with an ignition
17 interlock device as required under paragraph (2) of
18 subsection (c) of Section 6-205 of this Code and
19 subparagraph (A) of paragraph 3 of subsection (c) of
20 this Section. The Secretary may revoke a restricted
21 driving permit or amend the conditions of a restricted
22 driving permit issued under this subparagraph (F) if
23 the holder operates a vehicle that is not equipped with
24 an ignition interlock device, or for any other reason
25 authorized under this Code.

26 A restricted driving permit issued under this

1 subparagraph (F) shall be revoked, and the holder
2 barred from applying for or being issued a restricted
3 driving permit in the future, if the holder is
4 convicted of a violation of Section 11-501 of this
5 Code, a similar provision of a local ordinance, or a
6 similar offense in another state.

7 (c-3) In the case of a suspension under paragraph 43 of
8 subsection (a), reports received by the Secretary of State
9 under this Section shall, except during the actual time the
10 suspension is in effect, be privileged information and for use
11 only by the courts, police officers, prosecuting authorities,
12 the driver licensing administrator of any other state, the
13 Secretary of State, or the parent or legal guardian of a driver
14 under the age of 18. However, beginning January 1, 2008, if the
15 person is a CDL holder, the suspension shall also be made
16 available to the driver licensing administrator of any other
17 state, the U.S. Department of Transportation, and the affected
18 driver or motor carrier or prospective motor carrier upon
19 request.

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

25 (c-5) The Secretary of State may, as a condition of the
26 reissuance of a driver's license or permit to an applicant

1 whose driver's license or permit has been suspended before he
2 or she reached the age of 21 years pursuant to any of the
3 provisions of this Section, require the applicant to
4 participate in a driver remedial education course and be
5 retested under Section 6-109 of this Code.

6 (d) This Section is subject to the provisions of the
7 Drivers License Compact.

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

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

17 (Source: P.A. 97-229, eff. 7-28-11; 97-333, eff. 8-12-11;
18 97-743, eff. 1-1-13; 97-838, eff. 1-1-13; 97-844, eff. 1-1-13;
19 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-103, eff.
20 1-1-14; 98-122, eff. 1-1-14; 98-726, eff. 1-1-15; 98-756, eff.
21 7-16-14.)

22 (625 ILCS 5/6-208) (from Ch. 95 1/2, par. 6-208)

23 Sec. 6-208. Period of Suspension - Application After
24 Revocation.

25 (a) Except as otherwise provided by this Code or any other

1 law of this State, the Secretary of State shall not suspend a
2 driver's license, permit, or privilege to drive a motor vehicle
3 on the highways for a period of more than one year.

4 (b) Any person whose license, permit, or privilege to drive
5 a motor vehicle on the highways has been revoked shall not be
6 entitled to have such license, permit, or privilege renewed or
7 restored. However, such person may, except as provided under
8 subsections (d) and (d-5) of Section 6-205, make application
9 for a license pursuant to Section 6-106 (i) if the revocation
10 was for a cause that has been removed or (ii) as provided in
11 the following subparagraphs:

12 1. Except as provided in subparagraphs 1.5, 2, 3, 4,
13 and 5, the person may make application for a license (A)
14 after the expiration of one year from the effective date of
15 the revocation, (B) in the case of a violation of paragraph
16 (b) of Section 11-401 of this Code or a similar provision
17 of a local ordinance, after the expiration of 3 years from
18 the effective date of the revocation, or (C) in the case of
19 a violation of Section 9-3 of the Criminal Code of 1961 or
20 the Criminal Code of 2012 or a similar provision of a law
21 of another state relating to the offense of reckless
22 homicide or a violation of subparagraph (F) of paragraph 1
23 of subsection (d) of Section 11-501 of this Code relating
24 to aggravated driving under the influence of alcohol, other
25 drug or drugs, intoxicating compound or compounds, or any
26 combination thereof, if the violation was the proximate

1 cause of a death, after the expiration of 2 years from the
2 effective date of the revocation or after the expiration of
3 24 months from the date of release from a period of
4 imprisonment as provided in Section 6-103 of this Code,
5 whichever is later.

6 1.5. If the person is convicted of a violation of
7 Section 6-303 of this Code committed while his or her
8 driver's license, permit, or privilege was revoked because
9 of a violation of Section 9-3 of the Criminal Code of 1961
10 or the Criminal Code of 2012, relating to the offense of
11 reckless homicide, or a similar provision of a law of
12 another state, the person may not make application for a
13 license or permit until the expiration of 3 years from the
14 date of the conviction.

15 2. If such person is convicted of committing a second
16 violation within a 20-year period of:

17 (A) Section 11-501 of this Code or a similar
18 provision of a local ordinance;

19 (B) Paragraph (b) of Section 11-401 of this Code or
20 a similar provision of a local ordinance;

21 (C) Section 9-3 of the Criminal Code of 1961 or the
22 Criminal Code of 2012, relating to the offense of
23 reckless homicide; or

24 (D) any combination of the above offenses
25 committed at different instances;

26 then such person may not make application for a license

1 until after the expiration of 5 years from the effective
2 date of the most recent revocation. The 20-year period
3 shall be computed by using the dates the offenses were
4 committed and shall also include similar out-of-state
5 offenses and similar offenses committed on a military
6 installation.

7 2.5. If a person is convicted of a second violation of
8 Section 6-303 of this Code committed while the person's
9 driver's license, permit, or privilege was revoked because
10 of a violation of Section 9-3 of the Criminal Code of 1961
11 or the Criminal Code of 2012, relating to the offense of
12 reckless homicide, or a similar provision of a law of
13 another state, the person may not make application for a
14 license or permit until the expiration of 5 years from the
15 date of release from a term of imprisonment.

16 3. However, except as provided in subparagraph 4, if
17 such person is convicted of committing a third ~~or~~
18 ~~subsequent~~ violation or any combination of the above
19 offenses, including similar out-of-state offenses and
20 similar offenses committed on a military installation,
21 contained in subparagraph 2, then such person may not make
22 application for a license until after the expiration of 10
23 years from the effective date of the most recent
24 revocation.

25 4. Except as provided in paragraph (1.5) of subsection
26 (c) of Section 6-205 and subparagraph (F) of paragraph 3 of

1 subsection (c) of Section 6-206 of this Code, the ~~The~~
2 person may not make application for a license if the person
3 is convicted of committing a fourth or subsequent violation
4 of Section 11-501 of this Code or a similar provision of a
5 local ordinance, Section 11-401 of this Code, Section 9-3
6 of the Criminal Code of 1961 or the Criminal Code of 2012,
7 or a combination of these offenses, similar provisions of
8 local ordinances, similar out-of-state offenses, or
9 similar offenses committed on a military installation.

10 4.5. A bona fide resident of a foreign jurisdiction who
11 is subject to the provisions of subparagraph 4 of this
12 subsection (b) may make application for termination of the
13 revocation after a period of 10 years from the effective
14 date of the most recent revocation. However, if a person
15 who has been granted a termination of revocation under this
16 subparagraph 4.5 subsequently becomes a resident of this
17 State, the revocation shall be reinstated and the person
18 shall be subject to the provisions of subparagraph 4.

19 5. The person may not make application for a license or
20 permit if the person is convicted of a third or subsequent
21 violation of Section 6-303 of this Code committed while his
22 or her driver's license, permit, or privilege was revoked
23 because of a violation of Section 9-3 of the Criminal Code
24 of 1961 or the Criminal Code of 2012, relating to the
25 offense of reckless homicide, or a similar provision of a
26 law of another state.

1 Notwithstanding any other provision of this Code, all
2 persons referred to in this paragraph (b) may not have their
3 privileges restored until the Secretary receives payment of the
4 required reinstatement fee pursuant to subsection (b) of
5 Section 6-118.

6 In no event shall the Secretary issue such license unless
7 and until such person has had a hearing pursuant to this Code
8 and the appropriate administrative rules and the Secretary is
9 satisfied, after a review or investigation of such person, that
10 to grant the privilege of driving a motor vehicle on the
11 highways will not endanger the public safety or welfare.

12 (c) (Blank).

13 (Source: P.A. 96-607, eff. 8-24-09; 97-1150, eff. 1-25-13.)

14 (625 ILCS 5/6-303) (from Ch. 95 1/2, par. 6-303)

15 Sec. 6-303. Driving while driver's license, permit or
16 privilege to operate a motor vehicle is suspended or revoked.

17 (a) Except as otherwise provided in subsection (a-5), any
18 person who drives or is in actual physical control of a motor
19 vehicle on any highway of this State at a time when such
20 person's driver's license, permit or privilege to do so or the
21 privilege to obtain a driver's license or permit is revoked or
22 suspended as provided by this Code or the law of another state,
23 except as may be specifically allowed by a judicial driving
24 permit issued prior to January 1, 2009, monitoring device
25 driving permit, family financial responsibility driving

1 permit, probationary license to drive, or a restricted driving
2 permit issued pursuant to this Code or under the law of another
3 state, shall be guilty of a Class A misdemeanor.

4 (a-3) A second or subsequent violation of subsection (a) of
5 this Section is a Class 4 felony if committed by a person whose
6 driving or operation of a motor vehicle is the proximate cause
7 of a motor vehicle accident that causes personal injury or
8 death to another. For purposes of this subsection, a personal
9 injury includes any Type A injury as indicated on the traffic
10 accident report completed by a law enforcement officer that
11 requires immediate professional attention in either a doctor's
12 office or a medical facility. A Type A injury includes severe
13 bleeding wounds, distorted extremities, and injuries that
14 require the injured party to be carried from the scene.

15 (a-5) Any person who violates this Section as provided in
16 subsection (a) while his or her driver's license, permit or
17 privilege is revoked because of a violation of Section 9-3 of
18 the Criminal Code of 1961 or the Criminal Code of 2012,
19 relating to the offense of reckless homicide or a similar
20 provision of a law of another state, is guilty of a Class 4
21 felony. The person shall be required to undergo a professional
22 evaluation, as provided in Section 11-501 of this Code, to
23 determine if an alcohol, drug, or intoxicating compound problem
24 exists and the extent of the problem, and to undergo the
25 imposition of treatment as appropriate.

26 (a-10) A person's driver's license, permit, or privilege to

1 obtain a driver's license or permit may be subject to multiple
2 revocations, multiple suspensions, or any combination of both
3 simultaneously. No revocation or suspension shall serve to
4 negate, invalidate, cancel, postpone, or in any way lessen the
5 effect of any other revocation or suspension entered prior or
6 subsequent to any other revocation or suspension.

7 (b) (Blank).

8 (b-1) Upon receiving a report of the conviction of any
9 violation indicating a person was operating a motor vehicle
10 during the time when the person's driver's license, permit or
11 privilege was suspended by the Secretary of State or the
12 driver's licensing administrator of another state, except as
13 specifically allowed by a probationary license, judicial
14 driving permit, restricted driving permit or monitoring device
15 driving permit the Secretary shall extend the suspension for
16 the same period of time as the originally imposed suspension
17 unless the suspension has already expired, in which case the
18 Secretary shall be authorized to suspend the person's driving
19 privileges for the same period of time as the originally
20 imposed suspension.

21 (b-2) Except as provided in subsection (b-6), upon
22 receiving a report of the conviction of any violation
23 indicating a person was operating a motor vehicle when the
24 person's driver's license, permit or privilege was revoked by
25 the Secretary of State or the driver's license administrator of
26 any other state, except as specifically allowed by a restricted

1 driving permit issued pursuant to this Code or the law of
2 another state, the Secretary shall not issue a driver's license
3 for an additional period of one year from the date of such
4 conviction indicating such person was operating a vehicle
5 during such period of revocation.

6 (b-3) (Blank).

7 (b-4) When the Secretary of State receives a report of a
8 conviction of any violation indicating a person was operating a
9 motor vehicle that was not equipped with an ignition interlock
10 device during a time when the person was prohibited from
11 operating a motor vehicle not equipped with such a device, the
12 Secretary shall not issue a driver's license to that person for
13 an additional period of one year from the date of the
14 conviction.

15 (b-5) Any person convicted of violating this Section shall
16 serve a minimum term of imprisonment of 30 consecutive days or
17 300 hours of community service when the person's driving
18 privilege was revoked or suspended as a result of a violation
19 of Section 9-3 of the Criminal Code of 1961 or the Criminal
20 Code of 2012, relating to the offense of reckless homicide, or
21 a similar provision of a law of another state.

22 (b-6) Upon receiving a report of a first conviction of
23 operating a motor vehicle while the person's driver's license,
24 permit or privilege was revoked where the revocation was for a
25 violation of Section 9-3 of the Criminal Code of 1961 or the
26 Criminal Code of 2012 relating to the offense of reckless

1 homicide or a similar out-of-state offense, the Secretary shall
2 not issue a driver's license for an additional period of three
3 years from the date of such conviction.

4 (c) Except as provided in subsections (c-3) and (c-4), any
5 person convicted of violating this Section shall serve a
6 minimum term of imprisonment of 10 consecutive days or 30 days
7 of community service when the person's driving privilege was
8 revoked or suspended as a result of:

9 (1) a violation of Section 11-501 of this Code or a
10 similar provision of a local ordinance relating to the
11 offense of operating or being in physical control of a
12 vehicle while under the influence of alcohol, any other
13 drug or any combination thereof; or

14 (2) a violation of paragraph (b) of Section 11-401 of
15 this Code or a similar provision of a local ordinance
16 relating to the offense of leaving the scene of a motor
17 vehicle accident involving personal injury or death; or

18 (3) a statutory summary suspension or revocation under
19 Section 11-501.1 of this Code.

20 Such sentence of imprisonment or community service shall
21 not be subject to suspension in order to reduce such sentence.

22 (c-1) Except as provided in subsections (c-5) and (d), any
23 person convicted of a second violation of this Section shall be
24 ordered by the court to serve a minimum of 100 hours of
25 community service.

26 (c-2) In addition to other penalties imposed under this

1 Section, the court may impose on any person convicted a fourth
2 time of violating this Section any of the following:

3 (1) Seizure of the license plates of the person's
4 vehicle.

5 (2) Immobilization of the person's vehicle for a period
6 of time to be determined by the court.

7 (c-3) Any person convicted of a violation of this Section
8 during a period of summary suspension imposed pursuant to
9 Section 11-501.1 when the person was eligible for a MDDP shall
10 be guilty of a Class 4 felony and shall serve a minimum term of
11 imprisonment of 30 days.

12 (c-4) Any person who has been issued a MDDP or a restricted
13 driving permit which requires the person to operate only motor
14 vehicles equipped with an ignition interlock device and who is
15 convicted of a violation of this Section as a result of
16 operating or being in actual physical control of a motor
17 vehicle not equipped with an ignition interlock device at the
18 time of the offense shall be guilty of a Class 4 felony and
19 shall serve a minimum term of imprisonment of 30 days.

20 (c-5) Any person convicted of a second violation of this
21 Section is guilty of a Class 2 felony, is not eligible for
22 probation or conditional discharge, and shall serve a mandatory
23 term of imprisonment, if:

24 (1) the current violation occurred when the person's
25 driver's license was suspended or revoked for a violation
26 of Section 9-3 of the Criminal Code of 1961 or the Criminal

1 Code of 2012, relating to the offense of reckless homicide,
2 or a similar out-of-state offense; and

3 (2) the prior conviction under this Section occurred
4 while the person's driver's license was suspended or
5 revoked for a violation of Section 9-3 of the Criminal Code
6 of 1961 or the Criminal Code of 2012 relating to the
7 offense of reckless homicide, or a similar out-of-state
8 offense, or was suspended or revoked for a violation of
9 Section 11-401 or 11-501 of this Code, a similar
10 out-of-state offense, a similar provision of a local
11 ordinance, or a statutory summary suspension or revocation
12 under Section 11-501.1 of this Code.

13 (d) Any person convicted of a second violation of this
14 Section shall be guilty of a Class 4 felony and shall serve a
15 minimum term of imprisonment of 30 days or 300 hours of
16 community service, as determined by the court, if:

17 (1) the current violation occurred when the person's
18 driver's license was suspended or revoked for a violation
19 of Section 11-401 or 11-501 of this Code, a similar
20 out-of-state offense, a similar provision of a local
21 ordinance, or a statutory summary suspension or revocation
22 under Section 11-501.1 of this Code; and

23 (2) the prior conviction under this Section occurred
24 while the person's driver's license was suspended or
25 revoked for a violation of Section 11-401 or 11-501 of this
26 Code, a similar out-of-state offense, a similar provision

1 of a local ordinance, or a statutory summary suspension or
2 revocation under Section 11-501.1 of this Code, or for a
3 violation of Section 9-3 of the Criminal Code of 1961 or
4 the Criminal Code of 2012, relating to the offense of
5 reckless homicide, or a similar out-of-state offense.

6 (d-1) Except as provided in subsections (d-2), (d-2.5), and
7 (d-3), any person convicted of a third or subsequent violation
8 of this Section shall serve a minimum term of imprisonment of
9 30 days or 300 hours of community service, as determined by the
10 court.

11 (d-2) Any person convicted of a third violation of this
12 Section is guilty of a Class 4 felony and must serve a minimum
13 term of imprisonment of 30 days, if:

14 (1) the current violation occurred when the person's
15 driver's license was suspended or revoked for a violation
16 of Section 11-401 or 11-501 of this Code, or a similar
17 out-of-state offense, or a similar provision of a local
18 ordinance, or a statutory summary suspension or revocation
19 under Section 11-501.1 of this Code; and

20 (2) the prior convictions under this Section occurred
21 while the person's driver's license was suspended or
22 revoked for a violation of Section 11-401 or 11-501 of this
23 Code, a similar out-of-state offense, a similar provision
24 of a local ordinance, or a statutory summary suspension or
25 revocation under Section 11-501.1 of this Code, or for a
26 violation of Section 9-3 of the Criminal Code of 1961 or

1 the Criminal Code of 2012, relating to the offense of
2 reckless homicide, or a similar out-of-state offense.

3 (d-2.5) Any person convicted of a third violation of this
4 Section is guilty of a Class 1 felony, is not eligible for
5 probation or conditional discharge, and must serve a mandatory
6 term of imprisonment, if:

7 (1) the current violation occurred while the person's
8 driver's license was suspended or revoked for a violation
9 of Section 9-3 of the Criminal Code of 1961 or the Criminal
10 Code of 2012, relating to the offense of reckless homicide,
11 or a similar out-of-state offense. The person's driving
12 privileges shall be revoked for the remainder of the
13 person's life; and

14 (2) the prior convictions under this Section occurred
15 while the person's driver's license was suspended or
16 revoked for a violation of Section 9-3 of the Criminal Code
17 of 1961 or the Criminal Code of 2012, relating to the
18 offense of reckless homicide, or a similar out-of-state
19 offense, or was suspended or revoked for a violation of
20 Section 11-401 or 11-501 of this Code, a similar
21 out-of-state offense, a similar provision of a local
22 ordinance, or a statutory summary suspension or revocation
23 under Section 11-501.1 of this Code.

24 (d-3) Any person convicted of a fourth, fifth, sixth,
25 seventh, eighth, or ninth violation of this Section is guilty
26 of a Class 4 felony and must serve a minimum term of

1 imprisonment of 180 days, if:

2 (1) the current violation occurred when the person's
3 driver's license was suspended or revoked for a violation
4 of Section 11-401 or 11-501 of this Code, a similar
5 out-of-state offense, a similar provision of a local
6 ordinance, or a statutory summary suspension or revocation
7 under Section 11-501.1 of this Code; and

8 (2) the prior convictions under this Section occurred
9 while the person's driver's license was suspended or
10 revoked for a violation of Section 11-401 or 11-501 of this
11 Code, a similar out-of-state offense, a similar provision
12 of a local ordinance, or a statutory summary suspension or
13 revocation under Section 11-501.1 of this Code, or for a
14 violation of Section 9-3 of the Criminal Code of 1961 or
15 the Criminal Code of 2012, relating to the offense of
16 reckless homicide, or a similar out-of-state offense.

17 (d-3.5) Any person convicted of a fourth or subsequent
18 violation of this Section is guilty of a Class 1 felony, is not
19 eligible for probation or conditional discharge, and must serve
20 a mandatory term of imprisonment, and is eligible for an
21 extended term, if:

22 (1) the current violation occurred when the person's
23 driver's license was suspended or revoked for a violation
24 of Section 9-3 of the Criminal Code of 1961 or the Criminal
25 Code of 2012, relating to the offense of reckless homicide,
26 or a similar out-of-state offense; and

1 (2) the prior convictions under this Section occurred
2 while the person's driver's license was suspended or
3 revoked for a violation of Section 9-3 of the Criminal Code
4 of 1961 or the Criminal Code of 2012, relating to the
5 offense of reckless homicide, or a similar out-of-state
6 offense, or was suspended or revoked for a violation of
7 Section 11-401 or 11-501 of this Code, a similar
8 out-of-state offense, a similar provision of a local
9 ordinance, or a statutory summary suspension or revocation
10 under Section 11-501.1 of this Code.

11 (d-4) Any person convicted of a tenth, eleventh, twelfth,
12 thirteenth, or fourteenth violation of this Section is guilty
13 of a Class 3 felony, and is not eligible for probation or
14 conditional discharge, if:

15 (1) the current violation occurred when the person's
16 driver's license was suspended or revoked for a violation
17 of Section 11-401 or 11-501 of this Code, or a similar
18 out-of-state offense, or a similar provision of a local
19 ordinance, or a statutory summary suspension or revocation
20 under Section 11-501.1 of this Code; and

21 (2) the prior convictions under this Section occurred
22 while the person's driver's license was suspended or
23 revoked for a violation of Section 11-401 or 11-501 of this
24 Code, a similar out-of-state offense, a similar provision
25 of a local ordinance, or a statutory suspension or
26 revocation under Section 11-501.1 of this Code, or for a

1 violation of Section 9-3 of the Criminal Code of 1961 or
2 the Criminal Code of 2012, relating to the offense of
3 reckless homicide, or a similar out-of-state offense.

4 (d-5) Any person convicted of a fifteenth or subsequent
5 violation of this Section is guilty of a Class 2 felony, and is
6 not eligible for probation or conditional discharge, if:

7 (1) the current violation occurred when the person's
8 driver's license was suspended or revoked for a violation
9 of Section 11-401 or 11-501 of this Code, or a similar
10 out-of-state offense, or a similar provision of a local
11 ordinance, or a statutory summary suspension or revocation
12 under Section 11-501.1 of this Code; and

13 (2) the prior convictions under this Section occurred
14 while the person's driver's license was suspended or
15 revoked for a violation of Section 11-401 or 11-501 of this
16 Code, a similar out-of-state offense, a similar provision
17 of a local ordinance, or a statutory summary suspension or
18 revocation under Section 11-501.1 of this Code, or for a
19 violation of Section 9-3 of the Criminal Code of 1961 or
20 the Criminal Code of 2012, relating to the offense of
21 reckless homicide, or a similar out-of-state offense.

22 (e) Any person in violation of this Section who is also in
23 violation of Section 7-601 of this Code relating to mandatory
24 insurance requirements, in addition to other penalties imposed
25 under this Section, shall have his or her motor vehicle
26 immediately impounded by the arresting law enforcement

1 officer. The motor vehicle may be released to any licensed
2 driver upon a showing of proof of insurance for the vehicle
3 that was impounded and the notarized written consent for the
4 release by the vehicle owner.

5 (f) For any prosecution under this Section, a certified
6 copy of the driving abstract of the defendant shall be admitted
7 as proof of any prior conviction.

8 (g) The motor vehicle used in a violation of this Section
9 is subject to seizure and forfeiture as provided in Sections
10 36-1 and 36-2 of the Criminal Code of 2012 if the person's
11 driving privilege was revoked or suspended as a result of:

12 (1) a violation of Section 11-501 of this Code, a
13 similar provision of a local ordinance, or a similar
14 provision of a law of another state;

15 (2) a violation of paragraph (b) of Section 11-401 of
16 this Code, a similar provision of a local ordinance, or a
17 similar provision of a law of another state;

18 (3) a statutory summary suspension or revocation under
19 Section 11-501.1 of this Code or a similar provision of a
20 law of another state; or

21 (4) a violation of Section 9-3 of the Criminal Code of
22 1961 or the Criminal Code of 2012 relating to the offense
23 of reckless homicide, or a similar provision of a law of
24 another state.

25 (Source: P.A. 97-984, eff. 1-1-13; 97-1150, eff. 1-25-13;
26 98-285, eff. 1-1-14; 98-418, eff. 8-16-13; 98-573, eff.

1 8-27-13; 98-756, eff. 7-16-14.)