



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3572

by Rep. Katherine Cloonen

SYNOPSIS AS INTRODUCED:

625 ILCS 5/2-118	from Ch. 95 1/2, par. 2-118
625 ILCS 5/2-118.1	from Ch. 95 1/2, par. 2-118.1
625 ILCS 5/6-106.1a	
625 ILCS 5/6-208.1	from Ch. 95 1/2, par. 6-208.1
625 ILCS 5/6-514	from Ch. 95 1/2, par. 6-514
625 ILCS 5/6-516	from Ch. 95 1/2, par. 6-516
625 ILCS 5/6-517	from Ch. 95 1/2, par. 6-517
625 ILCS 5/11-401	from Ch. 95 1/2, par. 11-401
625 ILCS 5/11-500	from Ch. 95 1/2, par. 11-500
625 ILCS 5/11-500.1	
625 ILCS 5/11-501	from Ch. 95 1/2, par. 11-501
625 ILCS 5/11-501.1	
625 ILCS 5/11-501.2	from Ch. 95 1/2, par. 11-501.2
625 ILCS 5/11-501.4	from Ch. 95 1/2, par. 11-501.4
625 ILCS 5/11-501.4-1	
625 ILCS 5/11-501.6	from Ch. 95 1/2, par. 11-501.6
625 ILCS 5/11-501.8	
625 ILCS 5/11-507	
725 ILCS 5/115-15	
730 ILCS 5/5-9-1.9	

Amends the Illinois Vehicle Code. Allows use of saliva testing for the presence of alcohol or drugs for the purpose of enforcement of driving or operating a vehicle under the influence offenses. Makes saliva tests admissible in certain proceedings. Amends the Code of Criminal Procedure of 1963 and Unified Code of Corrections to make conforming changes.

LRB099 08936 RJF 29109 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 2-118, 2-118.1, 6-106.1a, 6-208.1, 6-514, 6-516,
6 6-517, 11-401, 11-500, 11-500.1, 11-501, 11-501.1, 11-501.2,
7 11-501.4, 11-501.4-1, 11-501.6, 11-501.8, and 11-507 as
8 follows:

9 (625 ILCS 5/2-118) (from Ch. 95 1/2, par. 2-118)

10 Sec. 2-118. Hearings.

11 (a) Upon the suspension, revocation or denial of the
12 issuance of a license, permit, registration or certificate of
13 title under this Code of any person the Secretary of State
14 shall immediately notify such person in writing and upon his
15 written request shall, within 20 days after receipt thereof,
16 set a date for a hearing to commence within 90 calendar days
17 from the date of the written request for all requests related
18 to a suspension, revocation, or the denial of the issuance of a
19 license, permit, registration, or certificate of title
20 occurring after July 1, 2002, in the County of Sangamon, the
21 County of Jefferson, or the County of Cook, as such person may
22 specify, unless both parties agree that such hearing may be
23 held in some other county. The Secretary may require the

1 payment of a fee of not more than \$50 for the filing of any
2 petition, motion, or request for hearing conducted pursuant to
3 this Section. These fees must be deposited into the Secretary
4 of State DUI Administration Fund, a special fund created in the
5 State treasury, and, subject to appropriation and as directed
6 by the Secretary of State, shall be used for operation of the
7 Department of Administrative Hearings of the Office of the
8 Secretary of State and for no other purpose. The Secretary
9 shall establish by rule the amount and the procedures, terms,
10 and conditions relating to these fees.

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

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

1 issue a restricted driving permit or reinstate the license or
2 permit of such person.

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

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

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

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

22 (Source: P.A. 95-627, eff. 6-1-08; 96-184, eff. 8-10-09.)

23 (625 ILCS 5/2-118.1) (from Ch. 95 1/2, par. 2-118.1)

24 Sec. 2-118.1. Opportunity for hearing; statutory summary
25 alcohol or other drug related suspension or revocation pursuant

1 to Section 11-501.1.

2 (a) A statutory summary suspension or revocation of driving
3 privileges under Section 11-501.1 shall not become effective
4 until the person is notified in writing of the impending
5 suspension or revocation and informed that he may request a
6 hearing in the circuit court of venue under paragraph (b) of
7 this Section and the statutory summary suspension or revocation
8 shall become effective as provided in Section 11-501.1.

9 (b) Within 90 days after the notice of statutory summary
10 suspension or revocation served under Section 11-501.1, the
11 person may make a written request for a judicial hearing in the
12 circuit court of venue. The request to the circuit court shall
13 state the grounds upon which the person seeks to have the
14 statutory summary suspension or revocation rescinded. Within
15 30 days after receipt of the written request or the first
16 appearance date on the Uniform Traffic Ticket issued pursuant
17 to a violation of Section 11-501, or a similar provision of a
18 local ordinance, the hearing shall be conducted by the circuit
19 court having jurisdiction. This judicial hearing, request, or
20 process shall not stay or delay the statutory summary
21 suspension or revocation. The hearings shall proceed in the
22 court in the same manner as in other civil proceedings.

23 The hearing may be conducted upon a review of the law
24 enforcement officer's own official reports; provided however,
25 that the person may subpoena the officer. Failure of the
26 officer to answer the subpoena shall be considered grounds for

1 a continuance if in the court's discretion the continuance is
2 appropriate.

3 The scope of the hearing shall be limited to the issues of:

4 1. Whether the person was placed under arrest for an
5 offense as defined in Section 11-501, or a similar
6 provision of a local ordinance, as evidenced by the
7 issuance of a Uniform Traffic Ticket, or issued a Uniform
8 Traffic Ticket out of state as provided in subsection (a)
9 of Section 11-501.1; and

10 2. Whether the officer had reasonable grounds to
11 believe that the person was driving or in actual physical
12 control of a motor vehicle upon a highway while under the
13 influence of alcohol, other drug, or combination of both;
14 and

15 3. Whether the person, after being advised by the
16 officer that the privilege to operate a motor vehicle would
17 be suspended or revoked if the person refused to submit to
18 and complete the test or tests, did refuse to submit to or
19 complete the test or tests to determine the person's blood
20 alcohol or drug concentration; or

21 4. Whether the person, after being advised by the
22 officer that the privilege to operate a motor vehicle would
23 be suspended if the person submits to a chemical test, or
24 tests, and the test discloses an alcohol concentration of
25 0.08 or more, or any amount of a drug, substance, or
26 compound in the person's blood, saliva, or urine resulting

1 from the unlawful use or consumption of cannabis listed in
2 the Cannabis Control Act, a controlled substance listed in
3 the Illinois Controlled Substances Act, an intoxicating
4 compound as listed in the Use of Intoxicating Compounds
5 Act, or methamphetamine as listed in the Methamphetamine
6 Control and Community Protection Act, and the person did
7 submit to and complete the test or tests that determined an
8 alcohol concentration of 0.08 or more.

9 4.2. (Blank).

10 4.5. (Blank).

11 5. If the person's driving privileges were revoked,
12 whether the person was involved in a motor vehicle accident
13 that caused Type A injury or death to another.

14 Upon the conclusion of the judicial hearing, the circuit
15 court shall sustain or rescind the statutory summary suspension
16 or revocation and immediately notify the Secretary of State.
17 Reports received by the Secretary of State under this Section
18 shall be privileged information and for use only by the courts,
19 police officers, and Secretary of State.

20 (Source: P.A. 98-122, eff. 1-1-14; 98-1172, eff. 1-12-15.)

21 (625 ILCS 5/6-106.1a)

22 Sec. 6-106.1a. Cancellation of school bus driver permit;
23 trace of alcohol.

24 (a) A person who has been issued a school bus driver permit
25 by the Secretary of State in accordance with Section 6-106.1 of

1 this Code and who drives or is in actual physical control of a
2 school bus or any other vehicle owned or operated by or for a
3 public or private school, or a school operated by a religious
4 institution, when the vehicle is being used over a regularly
5 scheduled route for the transportation of persons enrolled as
6 students in grade 12 or below, in connection with any activity
7 of the entities listed, upon the public highways of this State
8 shall be deemed to have given consent to a chemical test or
9 tests of blood, breath, saliva, or urine for the purpose of
10 determining the alcohol content of the person's blood if
11 arrested, as evidenced by the issuance of a Uniform Traffic
12 Ticket for any violation of this Code or a similar provision of
13 a local ordinance, if a police officer has probable cause to
14 believe that the driver has consumed any amount of an alcoholic
15 beverage based upon evidence of the driver's physical condition
16 or other first hand knowledge of the police officer. The test
17 or tests shall be administered at the direction of the
18 arresting officer. The law enforcement agency employing the
19 officer shall designate which of the aforesaid tests shall be
20 administered. A saliva or urine test may be administered even
21 after a blood or breath test or both has been administered.

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

1 (1) Chemical analysis of the person's blood, urine,
2 breath, saliva, or other substance, to be considered valid
3 under the provisions of this Section, shall have been
4 performed according to standards promulgated by the
5 Department of State Police by an individual possessing a
6 valid permit issued by the Department of State Police for
7 this purpose. The Director of State Police is authorized to
8 approve satisfactory techniques or methods, to ascertain
9 the qualifications and competence of individuals to
10 conduct analyses, to issue permits that shall be subject to
11 termination or revocation at the direction of the
12 Department of State Police, and to certify the accuracy of
13 breath testing equipment. The Department of State Police
14 shall prescribe rules as necessary.

15 (2) When a person submits to a blood test at the
16 request of a law enforcement officer under the provisions
17 of this Section, only a physician authorized to practice
18 medicine, a licensed physician assistant, a licensed
19 advanced practice nurse, a registered nurse, or other
20 qualified person trained in venipuncture and acting under
21 the direction of a licensed physician may withdraw blood
22 for the purpose of determining the alcohol content. This
23 limitation does not apply to the taking of breath, saliva,
24 or urine specimens.

25 (3) The person tested may have a physician, qualified
26 technician, chemist, registered nurse, or other qualified

1 person of his or her own choosing administer a chemical
2 test or tests in addition to any test or tests administered
3 at the direction of a law enforcement officer. The test
4 administered at the request of the person may be admissible
5 into evidence at a hearing conducted in accordance with
6 Section 2-118 of this Code. The failure or inability to
7 obtain an additional test by a person shall not preclude
8 the consideration of the previously performed chemical
9 test.

10 (4) Upon a request of the person who submits to a
11 chemical test or tests at the request of a law enforcement
12 officer, full information concerning the test or tests
13 shall be made available to the person or that person's
14 attorney by the requesting law enforcement agency within 72
15 hours of receipt of the test result.

16 (5) Alcohol concentration means either grams of
17 alcohol per 100 milliliters of blood or grams of alcohol
18 per 210 liters of breath.

19 (6) If a driver is receiving medical treatment as a
20 result of a motor vehicle accident, a physician licensed to
21 practice medicine, licensed physician assistant, licensed
22 advanced practice nurse, registered nurse, or other
23 qualified person trained in venipuncture and acting under
24 the direction of a licensed physician shall withdraw blood
25 for testing purposes to ascertain the presence of alcohol
26 upon the specific request of a law enforcement officer.

1 However, that testing shall not be performed until, in the
2 opinion of the medical personnel on scene, the withdrawal
3 can be made without interfering with or endangering the
4 well-being of the patient.

5 (c) A person requested to submit to a test as provided in
6 this Section shall be warned by the law enforcement officer
7 requesting the test that a refusal to submit to the test, or
8 submission to the test resulting in an alcohol concentration of
9 more than 0.00, may result in the loss of that person's
10 privilege to possess a school bus driver permit. The loss of
11 the individual's privilege to possess a school bus driver
12 permit shall be imposed in accordance with Section 6-106.1b of
13 this Code.

14 (d) If the person refuses testing or submits to a test that
15 discloses an alcohol concentration of more than 0.00, the law
16 enforcement officer shall immediately submit a sworn report to
17 the Secretary of State on a form prescribed by the Secretary of
18 State certifying that the test or tests were requested under
19 subsection (a) and the person refused to submit to a test or
20 tests or submitted to testing which disclosed an alcohol
21 concentration of more than 0.00. The law enforcement officer
22 shall submit the same sworn report when a person who has been
23 issued a school bus driver permit and who was operating a
24 school bus or any other vehicle owned or operated by or for a
25 public or private school, or a school operated by a religious
26 institution, when the vehicle is being used over a regularly

1 scheduled route for the transportation of persons enrolled as
2 students in grade 12 or below, in connection with any activity
3 of the entities listed, submits to testing under Section
4 11-501.1 of this Code and the testing discloses an alcohol
5 concentration of more than 0.00 and less than the alcohol
6 concentration at which driving or being in actual physical
7 control of a motor vehicle is prohibited under paragraph (1) of
8 subsection (a) of Section 11-501.

9 Upon receipt of the sworn report of a law enforcement
10 officer, the Secretary of State shall enter the school bus
11 driver permit sanction on the individual's driving record and
12 the sanction shall be effective on the 46th day following the
13 date notice of the sanction was given to the person.

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

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

26 Upon receipt of the sworn report of a law enforcement

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

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

25 (1) whether the police officer had probable cause to
26 believe that the person was driving or in actual physical

1 control of a school bus or any other vehicle owned or
2 operated by or for a public or private school, or a school
3 operated by a religious institution, when the vehicle is
4 being used over a regularly scheduled route for the
5 transportation of persons enrolled as students in grade 12
6 or below, in connection with any activity of the entities
7 listed, upon the public highways of the State and the
8 police officer had reason to believe that the person was in
9 violation of any provision of this Code or a similar
10 provision of a local ordinance; and

11 (2) whether the person was issued a Uniform Traffic
12 Ticket for any violation of this Code or a similar
13 provision of a local ordinance; and

14 (3) whether the police officer had probable cause to
15 believe that the driver had consumed any amount of an
16 alcoholic beverage based upon the driver's physical
17 actions or other first-hand knowledge of the police
18 officer; and

19 (4) whether the person, after being advised by the
20 officer that the privilege to possess a school bus driver
21 permit would be canceled if the person refused to submit to
22 and complete the test or tests, did refuse to submit to or
23 complete the test or tests to determine the person's
24 alcohol concentration; and

25 (5) whether the person, after being advised by the
26 officer that the privileges to possess a school bus driver

1 permit would be canceled if the person submits to a
2 chemical test or tests and the test or tests disclose an
3 alcohol concentration of more than 0.00 and the person did
4 submit to and complete the test or tests that determined an
5 alcohol concentration of more than 0.00; and

6 (6) whether the test result of an alcohol concentration
7 of more than 0.00 was based upon the person's consumption
8 of alcohol in the performance of a religious service or
9 ceremony; and

10 (7) whether the test result of an alcohol concentration
11 of more than 0.00 was based upon the person's consumption
12 of alcohol through ingestion of the prescribed or
13 recommended dosage of medicine.

14 The Secretary of State may adopt administrative rules
15 setting forth circumstances under which the holder of a school
16 bus driver permit is not required to appear in person at the
17 hearing.

18 Provided that the petitioner may subpoena the officer, the
19 hearing may be conducted upon a review of the law enforcement
20 officer's own official reports. Failure of the officer to
21 answer the subpoena shall be grounds for a continuance if, in
22 the hearing officer's discretion, the continuance is
23 appropriate. At the conclusion of the hearing held under
24 Section 2-118 of this Code, the Secretary of State may rescind,
25 continue, or modify the school bus driver permit sanction.

26 (f) The results of any chemical testing performed in

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

11 (g) This Section applies only to drivers who have been
12 issued a school bus driver permit in accordance with Section
13 6-106.1 of this Code at the time of the issuance of the Uniform
14 Traffic Ticket for a violation of this Code or a similar
15 provision of a local ordinance, and a chemical test request is
16 made under this Section.

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

26 (Source: P.A. 96-1344, eff. 7-1-11; 97-450, eff. 8-19-11.)

1 (625 ILCS 5/6-208.1) (from Ch. 95 1/2, par. 6-208.1)

2 Sec. 6-208.1. Period of statutory summary alcohol, other
3 drug, or intoxicating compound related suspension or
4 revocation.

5 (a) Unless the statutory summary suspension has been
6 rescinded, any person whose privilege to drive a motor vehicle
7 on the public highways has been summarily suspended, pursuant
8 to Section 11-501.1, shall not be eligible for restoration of
9 the privilege until the expiration of:

10 1. twelve months from the effective date of the
11 statutory summary suspension for a refusal or failure to
12 complete a test or tests to determine the alcohol, other
13 drug, or intoxicating compound concentration under Section
14 11-501.1, if the person was not involved in a motor vehicle
15 accident that caused personal injury or death to another;
16 or

17 2. six months from the effective date of the statutory
18 summary suspension imposed following the person's
19 submission to a chemical test which disclosed an alcohol
20 concentration of 0.08 or more, or any amount of a drug,
21 substance, or intoxicating compound in such person's
22 breath, blood, saliva, or urine resulting from the unlawful
23 use or consumption of cannabis listed in the Cannabis
24 Control Act, a controlled substance listed in the Illinois
25 Controlled Substances Act, an intoxicating compound listed

1 in the Use of Intoxicating Compounds Act, or
2 methamphetamine as listed in the Methamphetamine Control
3 and Community Protection Act, pursuant to Section
4 11-501.1; or

5 3. three years from the effective date of the statutory
6 summary suspension for any person other than a first
7 offender who refuses or fails to complete a test or tests
8 to determine the alcohol, drug, or intoxicating compound
9 concentration pursuant to Section 11-501.1; or

10 4. one year from the effective date of the summary
11 suspension imposed for any person other than a first
12 offender following submission to a chemical test which
13 disclosed an alcohol concentration of 0.08 or more pursuant
14 to Section 11-501.1 or any amount of a drug, substance or
15 compound in such person's blood, saliva, or urine resulting
16 from the unlawful use or consumption of cannabis listed in
17 the Cannabis Control Act, a controlled substance listed in
18 the Illinois Controlled Substances Act, an intoxicating
19 compound listed in the Use of Intoxicating Compounds Act,
20 or methamphetamine as listed in the Methamphetamine
21 Control and Community Protection Act; or

22 5. (Blank).

23 (b) Following a statutory summary suspension of the
24 privilege to drive a motor vehicle under Section 11-501.1,
25 driving privileges shall be restored unless the person is
26 otherwise suspended, revoked, or cancelled by this Code. If the

1 court has reason to believe that the person's driving privilege
2 should not be restored, the court shall notify the Secretary of
3 State prior to the expiration of the statutory summary
4 suspension so appropriate action may be taken pursuant to this
5 Code.

6 (c) Driving privileges may not be restored until all
7 applicable reinstatement fees, as provided by this Code, have
8 been paid to the Secretary of State and the appropriate entry
9 made to the driver's record.

10 (d) Where a driving privilege has been summarily suspended
11 or revoked under Section 11-501.1 and the person is
12 subsequently convicted of violating Section 11-501, or a
13 similar provision of a local ordinance, for the same incident,
14 any period served on statutory summary suspension or revocation
15 shall be credited toward the minimum period of revocation of
16 driving privileges imposed pursuant to Section 6-205.

17 (e) A first offender who refused chemical testing and whose
18 driving privileges were summarily revoked pursuant to Section
19 11-501.1 shall not be eligible for a monitoring device driving
20 permit, but may make application for reinstatement or for a
21 restricted driving permit after a period of one year has
22 elapsed from the effective date of the revocation.

23 (f) (Blank).

24 (g) Following a statutory summary suspension of driving
25 privileges pursuant to Section 11-501.1 where the person was
26 not a first offender, as defined in Section 11-500, the

1 Secretary of State may not issue a restricted driving permit.

2 (h) (Blank).

3 (Source: P.A. 97-229, eff. 7-28-11; 98-122, eff. 1-1-14;
4 98-1015, eff. 8-22-14; 98-1172, eff. 1-12-15.)

5 (625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)

6 (Text of Section before amendment by P.A. 98-176)

7 Sec. 6-514. Commercial driver's license (CDL); commercial
8 learner's permit (CLP); disqualifications.

9 (a) A person shall be disqualified from driving a
10 commercial motor vehicle for a period of not less than 12
11 months for the first violation of:

12 (1) Refusing to submit to or failure to complete a test
13 or tests to determine the driver's blood concentration of
14 alcohol, other drug, or both while driving a commercial
15 motor vehicle or, if the driver is a CDL holder, while
16 driving a non-CMV; or

17 (2) Operating a commercial motor vehicle while the
18 alcohol concentration of the person's blood, breath or
19 urine is at least 0.04, or any amount of a drug, substance,
20 or compound in the person's blood or urine resulting from
21 the unlawful use or consumption of cannabis listed in the
22 Cannabis Control Act, a controlled substance listed in the
23 Illinois Controlled Substances Act, or methamphetamine as
24 listed in the Methamphetamine Control and Community
25 Protection Act as indicated by a police officer's sworn

1 report or other verified evidence; or operating a
2 non-commercial motor vehicle while the alcohol
3 concentration of the person's blood, breath, or urine was
4 above the legal limit defined in Section 11-501.1 or
5 11-501.8 or any amount of a drug, substance, or compound in
6 the person's blood or urine resulting from the unlawful use
7 or consumption of cannabis listed in the Cannabis Control
8 Act, a controlled substance listed in the Illinois
9 Controlled Substances Act, or methamphetamine as listed in
10 the Methamphetamine Control and Community Protection Act
11 as indicated by a police officer's sworn report or other
12 verified evidence while holding a commercial driver's
13 license; or

14 (3) Conviction for a first violation of:

15 (i) Driving a commercial motor vehicle or, if the
16 driver is a CDL holder, driving a non-CMV while under
17 the influence of alcohol, or any other drug, or
18 combination of drugs to a degree which renders such
19 person incapable of safely driving; or

20 (ii) Knowingly leaving the scene of an accident
21 while operating a commercial motor vehicle or, if the
22 driver is a CDL holder, while driving a non-CMV; or

23 (iii) Driving a commercial motor vehicle or, if the
24 driver is a CDL holder, driving a non-CMV while
25 committing any felony; or

26 (iv) Driving a commercial motor vehicle while the

1 person's driving privileges or driver's license or
2 permit is revoked, suspended, or cancelled or the
3 driver is disqualified from operating a commercial
4 motor vehicle; or

5 (v) Causing a fatality through the negligent
6 operation of a commercial motor vehicle, including but
7 not limited to the crimes of motor vehicle
8 manslaughter, homicide by a motor vehicle, and
9 negligent homicide.

10 As used in this subdivision (a)(3)(v), "motor
11 vehicle manslaughter" means the offense of involuntary
12 manslaughter if committed by means of a vehicle;
13 "homicide by a motor vehicle" means the offense of
14 first degree murder or second degree murder, if either
15 offense is committed by means of a vehicle; and
16 "negligent homicide" means reckless homicide under
17 Section 9-3 of the Criminal Code of 1961 or the
18 Criminal Code of 2012 and aggravated driving under the
19 influence of alcohol, other drug or drugs,
20 intoxicating compound or compounds, or any combination
21 thereof under subdivision (d)(1)(F) of Section 11-501
22 of this Code.

23 If any of the above violations or refusals occurred
24 while transporting hazardous material(s) required to be
25 placarded, the person shall be disqualified for a period of
26 not less than 3 years; or

1 (4) (Blank).

2 (b) A person is disqualified for life for a second
3 conviction of any of the offenses specified in paragraph (a),
4 or any combination of those offenses, arising from 2 or more
5 separate incidents.

6 (c) A person is disqualified from driving a commercial
7 motor vehicle for life if the person either (i) uses a
8 commercial motor vehicle in the commission of any felony
9 involving the manufacture, distribution, or dispensing of a
10 controlled substance, or possession with intent to
11 manufacture, distribute or dispense a controlled substance or
12 (ii) if the person is a CDL holder, uses a non-CMV in the
13 commission of a felony involving any of those activities.

14 (d) The Secretary of State may, when the United States
15 Secretary of Transportation so authorizes, issue regulations
16 in which a disqualification for life under paragraph (b) may be
17 reduced to a period of not less than 10 years. If a reinstated
18 driver is subsequently convicted of another disqualifying
19 offense, as specified in subsection (a) of this Section, he or
20 she shall be permanently disqualified for life and shall be
21 ineligible to again apply for a reduction of the lifetime
22 disqualification.

23 (e) A person is disqualified from driving a commercial
24 motor vehicle for a period of not less than 2 months if
25 convicted of 2 serious traffic violations, committed in a
26 commercial motor vehicle, non-CMV while holding a CDL, or any

1 combination thereof, arising from separate incidents,
2 occurring within a 3 year period, provided the serious traffic
3 violation committed in a non-CMV would result in the suspension
4 or revocation of the CDL holder's non-CMV privileges. However,
5 a person will be disqualified from driving a commercial motor
6 vehicle for a period of not less than 4 months if convicted of
7 3 serious traffic violations, committed in a commercial motor
8 vehicle, non-CMV while holding a CDL, or any combination
9 thereof, arising from separate incidents, occurring within a 3
10 year period, provided the serious traffic violation committed
11 in a non-CMV would result in the suspension or revocation of
12 the CDL holder's non-CMV privileges. If all the convictions
13 occurred in a non-CMV, the disqualification shall be entered
14 only if the convictions would result in the suspension or
15 revocation of the CDL holder's non-CMV privileges.

16 (e-1) (Blank).

17 (f) Notwithstanding any other provision of this Code, any
18 driver disqualified from operating a commercial motor vehicle,
19 pursuant to this UCDLA, shall not be eligible for restoration
20 of commercial driving privileges during any such period of
21 disqualification.

22 (g) After suspending, revoking, or cancelling a commercial
23 driver's license, the Secretary of State must update the
24 driver's records to reflect such action within 10 days. After
25 suspending or revoking the driving privilege of any person who
26 has been issued a CDL or commercial driver instruction permit

1 from another jurisdiction, the Secretary shall originate
2 notification to such issuing jurisdiction within 10 days.

3 (h) The "disqualifications" referred to in this Section
4 shall not be imposed upon any commercial motor vehicle driver,
5 by the Secretary of State, unless the prohibited action(s)
6 occurred after March 31, 1992.

7 (i) A person is disqualified from driving a commercial
8 motor vehicle in accordance with the following:

9 (1) For 6 months upon a first conviction of paragraph
10 (2) of subsection (b) or subsection (b-3) of Section 6-507
11 of this Code.

12 (2) For 2 years upon a second conviction of paragraph
13 (2) of subsection (b) or subsection (b-3) or any
14 combination of paragraphs (2) or (3) of subsection (b) or
15 subsections (b-3) or (b-5) of Section 6-507 of this Code
16 within a 10-year period if the second conviction is a
17 violation of paragraph (2) of subsection (b) or subsection
18 (b-3).

19 (3) For 3 years upon a third or subsequent conviction
20 of paragraph (2) of subsection (b) or subsection (b-3) or
21 any combination of paragraphs (2) or (3) of subsection (b)
22 or subsections (b-3) or (b-5) of Section 6-507 of this Code
23 within a 10-year period if the third or subsequent
24 conviction is a violation of paragraph (2) of subsection
25 (b) or subsection (b-3).

26 (4) For one year upon a first conviction of paragraph

1 (3) of subsection (b) or subsection (b-5) of Section 6-507
2 of this Code.

3 (5) For 3 years upon a second conviction of paragraph
4 (3) of subsection (b) or subsection (b-5) or any
5 combination of paragraphs (2) or (3) of subsection (b) or
6 subsections (b-3) or (b-5) of Section 6-507 of this Code
7 within a 10-year period if the second conviction is a
8 violation of paragraph (3) of subsection (b) or (b-5).

9 (6) For 5 years upon a third or subsequent conviction
10 of paragraph (3) of subsection (b) or subsection (b-5) or
11 any combination of paragraphs (2) or (3) of subsection (b)
12 or subsections (b-3) or (b-5) of Section 6-507 of this Code
13 within a 10-year period if the third or subsequent
14 conviction is a violation of paragraph (3) of subsection
15 (b) or (b-5).

16 (j) Disqualification for railroad-highway grade crossing
17 violation.

18 (1) General rule. A driver who is convicted of a
19 violation of a federal, State, or local law or regulation
20 pertaining to one of the following 6 offenses at a
21 railroad-highway grade crossing must be disqualified from
22 operating a commercial motor vehicle for the period of time
23 specified in paragraph (2) of this subsection (j) if the
24 offense was committed while operating a commercial motor
25 vehicle:

26 (i) For drivers who are not required to always

1 stop, failing to slow down and check that the tracks
2 are clear of an approaching train or railroad track
3 equipment, as described in subsection (a-5) of Section
4 11-1201 of this Code;

5 (ii) For drivers who are not required to always
6 stop, failing to stop before reaching the crossing, if
7 the tracks are not clear, as described in subsection
8 (a) of Section 11-1201 of this Code;

9 (iii) For drivers who are always required to stop,
10 failing to stop before driving onto the crossing, as
11 described in Section 11-1202 of this Code;

12 (iv) For all drivers, failing to have sufficient
13 space to drive completely through the crossing without
14 stopping, as described in subsection (b) of Section
15 11-1425 of this Code;

16 (v) For all drivers, failing to obey a traffic
17 control device or the directions of an enforcement
18 official at the crossing, as described in subdivision
19 (a)2 of Section 11-1201 of this Code;

20 (vi) For all drivers, failing to negotiate a
21 crossing because of insufficient undercarriage
22 clearance, as described in subsection (d-1) of Section
23 11-1201 of this Code.

24 (2) Duration of disqualification for railroad-highway
25 grade crossing violation.

26 (i) First violation. A driver must be disqualified

1 from operating a commercial motor vehicle for not less
2 than 60 days if the driver is convicted of a violation
3 described in paragraph (1) of this subsection (j) and,
4 in the three-year period preceding the conviction, the
5 driver had no convictions for a violation described in
6 paragraph (1) of this subsection (j).

7 (ii) Second violation. A driver must be
8 disqualified from operating a commercial motor vehicle
9 for not less than 120 days if the driver is convicted
10 of a violation described in paragraph (1) of this
11 subsection (j) and, in the three-year period preceding
12 the conviction, the driver had one other conviction for
13 a violation described in paragraph (1) of this
14 subsection (j) that was committed in a separate
15 incident.

16 (iii) Third or subsequent violation. A driver must
17 be disqualified from operating a commercial motor
18 vehicle for not less than one year if the driver is
19 convicted of a violation described in paragraph (1) of
20 this subsection (j) and, in the three-year period
21 preceding the conviction, the driver had 2 or more
22 other convictions for violations described in
23 paragraph (1) of this subsection (j) that were
24 committed in separate incidents.

25 (k) Upon notification of a disqualification of a driver's
26 commercial motor vehicle privileges imposed by the U.S.

1 Department of Transportation, Federal Motor Carrier Safety
2 Administration, in accordance with 49 C.F.R. 383.52, the
3 Secretary of State shall immediately record to the driving
4 record the notice of disqualification and confirm to the driver
5 the action that has been taken.

6 (1) A foreign commercial driver is subject to
7 disqualification under this Section.

8 (Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13;
9 98-122, eff. 1-1-14; 98-722, eff. 7-16-14; 98-756, eff.
10 7-16-14.)

11 (Text of Section after amendment by P.A. 98-176)

12 Sec. 6-514. Commercial driver's license (CDL); commercial
13 learner's permit (CLP); disqualifications.

14 (a) A person shall be disqualified from driving a
15 commercial motor vehicle for a period of not less than 12
16 months for the first violation of:

17 (1) Refusing to submit to or failure to complete a test
18 or tests to determine the driver's blood concentration of
19 alcohol, other drug, or both while driving a commercial
20 motor vehicle or, if the driver is a CLP or CDL holder,
21 while driving a non-CMV; or

22 (2) Operating a commercial motor vehicle while the
23 alcohol concentration of the person's blood, breath,
24 saliva, or urine is at least 0.04, or any amount of a drug,
25 substance, or compound in the person's blood, saliva, or

1 urine resulting from the unlawful use or consumption of
2 cannabis listed in the Cannabis Control Act, a controlled
3 substance listed in the Illinois Controlled Substances
4 Act, or methamphetamine as listed in the Methamphetamine
5 Control and Community Protection Act as indicated by a
6 police officer's sworn report or other verified evidence;
7 or operating a non-commercial motor vehicle while the
8 alcohol concentration of the person's blood, breath,
9 saliva, or urine was above the legal limit defined in
10 Section 11-501.1 or 11-501.8 or any amount of a drug,
11 substance, or compound in the person's blood, saliva, or
12 urine resulting from the unlawful use or consumption of
13 cannabis listed in the Cannabis Control Act, a controlled
14 substance listed in the Illinois Controlled Substances
15 Act, or methamphetamine as listed in the Methamphetamine
16 Control and Community Protection Act as indicated by a
17 police officer's sworn report or other verified evidence
18 while holding a CLP or CDL; or

19 (3) Conviction for a first violation of:

20 (i) Driving a commercial motor vehicle or, if the
21 driver is a CLP or CDL holder, driving a non-CMV while
22 under the influence of alcohol, or any other drug, or
23 combination of drugs to a degree which renders such
24 person incapable of safely driving; or

25 (ii) Knowingly leaving the scene of an accident
26 while operating a commercial motor vehicle or, if the

1 driver is a CLP or CDL holder, while driving a non-CMV;
2 or

3 (iii) Driving a commercial motor vehicle or, if the
4 driver is a CLP or CDL holder, driving a non-CMV while
5 committing any felony; or

6 (iv) Driving a commercial motor vehicle while the
7 person's driving privileges or driver's license or
8 permit is revoked, suspended, or cancelled or the
9 driver is disqualified from operating a commercial
10 motor vehicle; or

11 (v) Causing a fatality through the negligent
12 operation of a commercial motor vehicle, including but
13 not limited to the crimes of motor vehicle
14 manslaughter, homicide by a motor vehicle, and
15 negligent homicide.

16 As used in this subdivision (a)(3)(v), "motor
17 vehicle manslaughter" means the offense of involuntary
18 manslaughter if committed by means of a vehicle;
19 "homicide by a motor vehicle" means the offense of
20 first degree murder or second degree murder, if either
21 offense is committed by means of a vehicle; and
22 "negligent homicide" means reckless homicide under
23 Section 9-3 of the Criminal Code of 1961 or the
24 Criminal Code of 2012 and aggravated driving under the
25 influence of alcohol, other drug or drugs,
26 intoxicating compound or compounds, or any combination

1 thereof under subdivision (d)(1)(F) of Section 11-501
2 of this Code.

3 If any of the above violations or refusals occurred
4 while transporting hazardous material(s) required to be
5 placarded, the person shall be disqualified for a period of
6 not less than 3 years; or

7 (4) (Blank).

8 (b) A person is disqualified for life for a second
9 conviction of any of the offenses specified in paragraph (a),
10 or any combination of those offenses, arising from 2 or more
11 separate incidents.

12 (c) A person is disqualified from driving a commercial
13 motor vehicle for life if the person either (i) uses a
14 commercial motor vehicle in the commission of any felony
15 involving the manufacture, distribution, or dispensing of a
16 controlled substance, or possession with intent to
17 manufacture, distribute or dispense a controlled substance or
18 (ii) if the person is a CLP or CDL holder, uses a non-CMV in the
19 commission of a felony involving any of those activities.

20 (d) The Secretary of State may, when the United States
21 Secretary of Transportation so authorizes, issue regulations
22 in which a disqualification for life under paragraph (b) may be
23 reduced to a period of not less than 10 years. If a reinstated
24 driver is subsequently convicted of another disqualifying
25 offense, as specified in subsection (a) of this Section, he or
26 she shall be permanently disqualified for life and shall be

1 ineligible to again apply for a reduction of the lifetime
2 disqualification.

3 (e) A person is disqualified from driving a commercial
4 motor vehicle for a period of not less than 2 months if
5 convicted of 2 serious traffic violations, committed in a
6 commercial motor vehicle, non-CMV while holding a CLP or CDL,
7 or any combination thereof, arising from separate incidents,
8 occurring within a 3 year period, provided the serious traffic
9 violation committed in a non-CMV would result in the suspension
10 or revocation of the CLP or CDL holder's non-CMV privileges.
11 However, a person will be disqualified from driving a
12 commercial motor vehicle for a period of not less than 4 months
13 if convicted of 3 serious traffic violations, committed in a
14 commercial motor vehicle, non-CMV while holding a CLP or CDL,
15 or any combination thereof, arising from separate incidents,
16 occurring within a 3 year period, provided the serious traffic
17 violation committed in a non-CMV would result in the suspension
18 or revocation of the CLP or CDL holder's non-CMV privileges. If
19 all the convictions occurred in a non-CMV, the disqualification
20 shall be entered only if the convictions would result in the
21 suspension or revocation of the CLP or CDL holder's non-CMV
22 privileges.

23 (e-1) (Blank).

24 (f) Notwithstanding any other provision of this Code, any
25 driver disqualified from operating a commercial motor vehicle,
26 pursuant to this UCCLA, shall not be eligible for restoration

1 of commercial driving privileges during any such period of
2 disqualification.

3 (g) After suspending, revoking, or cancelling a CLP or CDL,
4 the Secretary of State must update the driver's records to
5 reflect such action within 10 days. After suspending or
6 revoking the driving privilege of any person who has been
7 issued a CLP or CDL from another jurisdiction, the Secretary
8 shall originate notification to such issuing jurisdiction
9 within 10 days.

10 (h) The "disqualifications" referred to in this Section
11 shall not be imposed upon any commercial motor vehicle driver,
12 by the Secretary of State, unless the prohibited action(s)
13 occurred after March 31, 1992.

14 (i) A person is disqualified from driving a commercial
15 motor vehicle in accordance with the following:

16 (1) For 6 months upon a first conviction of paragraph
17 (2) of subsection (b) or subsection (b-3) of Section 6-507
18 of this Code.

19 (2) For 2 years upon a second conviction of paragraph
20 (2) of subsection (b) or subsection (b-3) or any
21 combination of paragraphs (2) or (3) of subsection (b) or
22 subsections (b-3) or (b-5) of Section 6-507 of this Code
23 within a 10-year period if the second conviction is a
24 violation of paragraph (2) of subsection (b) or subsection
25 (b-3).

26 (3) For 3 years upon a third or subsequent conviction

1 of paragraph (2) of subsection (b) or subsection (b-3) or
2 any combination of paragraphs (2) or (3) of subsection (b)
3 or subsections (b-3) or (b-5) of Section 6-507 of this Code
4 within a 10-year period if the third or subsequent
5 conviction is a violation of paragraph (2) of subsection
6 (b) or subsection (b-3).

7 (4) For one year upon a first conviction of paragraph
8 (3) of subsection (b) or subsection (b-5) of Section 6-507
9 of this Code.

10 (5) For 3 years upon a second conviction of paragraph
11 (3) of subsection (b) or subsection (b-5) or any
12 combination of paragraphs (2) or (3) of subsection (b) or
13 subsections (b-3) or (b-5) of Section 6-507 of this Code
14 within a 10-year period if the second conviction is a
15 violation of paragraph (3) of subsection (b) or (b-5).

16 (6) For 5 years upon a third or subsequent conviction
17 of paragraph (3) of subsection (b) or subsection (b-5) or
18 any combination of paragraphs (2) or (3) of subsection (b)
19 or subsections (b-3) or (b-5) of Section 6-507 of this Code
20 within a 10-year period if the third or subsequent
21 conviction is a violation of paragraph (3) of subsection
22 (b) or (b-5).

23 (j) Disqualification for railroad-highway grade crossing
24 violation.

25 (1) General rule. A driver who is convicted of a
26 violation of a federal, State, or local law or regulation

1 pertaining to one of the following 6 offenses at a
2 railroad-highway grade crossing must be disqualified from
3 operating a commercial motor vehicle for the period of time
4 specified in paragraph (2) of this subsection (j) if the
5 offense was committed while operating a commercial motor
6 vehicle:

7 (i) For drivers who are not required to always
8 stop, failing to slow down and check that the tracks
9 are clear of an approaching train or railroad track
10 equipment, as described in subsection (a-5) of Section
11 11-1201 of this Code;

12 (ii) For drivers who are not required to always
13 stop, failing to stop before reaching the crossing, if
14 the tracks are not clear, as described in subsection
15 (a) of Section 11-1201 of this Code;

16 (iii) For drivers who are always required to stop,
17 failing to stop before driving onto the crossing, as
18 described in Section 11-1202 of this Code;

19 (iv) For all drivers, failing to have sufficient
20 space to drive completely through the crossing without
21 stopping, as described in subsection (b) of Section
22 11-1425 of this Code;

23 (v) For all drivers, failing to obey a traffic
24 control device or the directions of an enforcement
25 official at the crossing, as described in subdivision
26 (a)2 of Section 11-1201 of this Code;

1 (vi) For all drivers, failing to negotiate a
2 crossing because of insufficient undercarriage
3 clearance, as described in subsection (d-1) of Section
4 11-1201 of this Code.

5 (2) Duration of disqualification for railroad-highway
6 grade crossing violation.

7 (i) First violation. A driver must be disqualified
8 from operating a commercial motor vehicle for not less
9 than 60 days if the driver is convicted of a violation
10 described in paragraph (1) of this subsection (j) and,
11 in the three-year period preceding the conviction, the
12 driver had no convictions for a violation described in
13 paragraph (1) of this subsection (j).

14 (ii) Second violation. A driver must be
15 disqualified from operating a commercial motor vehicle
16 for not less than 120 days if the driver is convicted
17 of a violation described in paragraph (1) of this
18 subsection (j) and, in the three-year period preceding
19 the conviction, the driver had one other conviction for
20 a violation described in paragraph (1) of this
21 subsection (j) that was committed in a separate
22 incident.

23 (iii) Third or subsequent violation. A driver must
24 be disqualified from operating a commercial motor
25 vehicle for not less than one year if the driver is
26 convicted of a violation described in paragraph (1) of

1 this subsection (j) and, in the three-year period
2 preceding the conviction, the driver had 2 or more
3 other convictions for violations described in
4 paragraph (1) of this subsection (j) that were
5 committed in separate incidents.

6 (k) Upon notification of a disqualification of a driver's
7 commercial motor vehicle privileges imposed by the U.S.
8 Department of Transportation, Federal Motor Carrier Safety
9 Administration, in accordance with 49 C.F.R. 383.52, the
10 Secretary of State shall immediately record to the driving
11 record the notice of disqualification and confirm to the driver
12 the action that has been taken.

13 (l) A foreign commercial driver is subject to
14 disqualification under this Section.

15 (Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13;
16 98-122, eff. 1-1-14; 98-176, eff. 7-8-15 (see Section 10 of
17 P.A. 98-722 for the effective date of changes made by P.A.
18 98-176); 98-722, eff. 7-16-14; 98-756, eff. 7-16-14; 98-1172,
19 eff. 1-12-15.)

20 (625 ILCS 5/6-516) (from Ch. 95 1/2, par. 6-516)

21 Sec. 6-516. Implied consent requirements for commercial
22 motor vehicle drivers.

23 (a) Effective April 1, 1992, any person who drives a
24 commercial motor vehicle upon the highways is hereby deemed to
25 have given consent to submit to a test or tests, subject to the

1 provisions of Section 11-501.2 of this Code, of such person's
2 breath, blood, saliva, or urine for the purpose of determining
3 the presence of alcohol, or other drugs, in such person's
4 system.

5 (b) A test or tests may be administered at the direction of
6 a law enforcement officer, who after stopping or detaining the
7 commercial motor vehicle driver, has probable cause to believe
8 that driver was driving a commercial motor vehicle while having
9 alcohol or any amount of a drug, substance, or compound
10 resulting from the unlawful use or consumption of cannabis
11 listed in the Cannabis Control Act, a controlled substance
12 listed in the Illinois Controlled Substances Act, or
13 methamphetamine as listed in the Methamphetamine Control and
14 Community Protection Act in such driver's system.

15 (c) Effective April 1, 1992, any person who operates a
16 school bus at the time of an accident involving the school bus
17 is hereby deemed to have given consent to submit to a test or
18 tests to be administered at the direction of a law enforcement
19 officer, subject to the provisions of Section 11-501.2 of this
20 Code, of the driver's breath, blood, saliva, or urine for the
21 purpose of determining the presence of alcohol, or other drugs,
22 in the person's system.

23 (Source: P.A. 95-355, eff. 1-1-08.)

24 (625 ILCS 5/6-517) (from Ch. 95 1/2, par. 6-517)

25 Sec. 6-517. Commercial driver; implied consent warnings.

1 (a) Any person driving a commercial motor vehicle who is
2 requested by a police officer, pursuant to Section 6-516, to
3 submit to a chemical test or tests to determine the alcohol
4 concentration or any amount of a drug, substance, or compound
5 resulting from the unlawful use or consumption of cannabis
6 listed in the Cannabis Control Act, a controlled substance
7 listed in the Illinois Controlled Substances Act, an
8 intoxicating compound listed in the Use of Intoxicating
9 Compounds Act, or methamphetamine as listed in the
10 Methamphetamine Control and Community Protection Act in such
11 person's system, must be warned by the police officer
12 requesting the test or tests that a refusal to submit to the
13 test or tests will result in that person being immediately
14 placed out-of-service for a period of 24 hours and being
15 disqualified from operating a commercial motor vehicle for a
16 period of not less than 12 months; the person shall also be
17 warned that if such person submits to testing which discloses
18 an alcohol concentration of greater than 0.00 but less than
19 0.04 or any amount of a drug, substance, or compound in such
20 person's blood, saliva, or urine resulting from the unlawful
21 use or consumption of cannabis listed in the Cannabis Control
22 Act, a controlled substance listed in the Illinois Controlled
23 Substances Act, an intoxicating compound listed in the Use of
24 Intoxicating Compounds Act, or methamphetamine as listed in the
25 Methamphetamine Control and Community Protection Act, such
26 person shall be placed immediately out-of-service for a period

1 of 24 hours; if the person submits to testing which discloses
2 an alcohol concentration of 0.04 or more or any amount of a
3 drug, substance, or compound in such person's blood, saliva, or
4 urine resulting from the unlawful use or consumption of
5 cannabis listed in the Cannabis Control Act, a controlled
6 substance listed in the Illinois Controlled Substances Act, an
7 intoxicating compound listed in the Use of Intoxicating
8 Compounds Act, or methamphetamine as listed in the
9 Methamphetamine Control and Community Protection Act, such
10 person shall be placed immediately out-of-service and
11 disqualified from driving a commercial motor vehicle for a
12 period of at least 12 months; also the person shall be warned
13 that if such testing discloses an alcohol concentration of
14 0.08, or more or any amount of a drug, substance, or compound
15 in such person's blood, saliva, or urine resulting from the
16 unlawful use or consumption of cannabis listed in the Cannabis
17 Control Act, a controlled substance listed in the Illinois
18 Controlled Substances Act, an intoxicating compound listed in
19 the Use of Intoxicating Compounds Act, or methamphetamine as
20 listed in the Methamphetamine Control and Community Protection
21 Act, in addition to the person being immediately placed
22 out-of-service and disqualified for 12 months as provided in
23 this UCDLA, the results of such testing shall also be
24 admissible in prosecutions for violations of Section 11-501 of
25 this Code, or similar violations of local ordinances, however,
26 such results shall not be used to impose any driving sanctions

1 pursuant to Section 11-501.1 of this Code.

2 The person shall also be warned that any disqualification
3 imposed pursuant to this Section, shall be for life for any
4 such offense or refusal, or combination thereof; including a
5 conviction for violating Section 11-501 while driving a
6 commercial motor vehicle, or similar provisions of local
7 ordinances, committed a second time involving separate
8 incidents.

9 (b) If the person refuses or fails to complete testing, or
10 submits to a test which discloses an alcohol concentration of
11 at least 0.04, or any amount of a drug, substance, or compound
12 in such person's blood, saliva, or urine resulting from the
13 unlawful use or consumption of cannabis listed in the Cannabis
14 Control Act, a controlled substance listed in the Illinois
15 Controlled Substances Act, an intoxicating compound listed in
16 the Use of Intoxicating Compounds Act, or methamphetamine as
17 listed in the Methamphetamine Control and Community Protection
18 Act, the law enforcement officer must submit a Sworn Report to
19 the Secretary of State, in a form prescribed by the Secretary,
20 certifying that the test or tests was requested pursuant to
21 paragraph (a); that the person was warned, as provided in
22 paragraph (a) and that such person refused to submit to or
23 failed to complete testing, or submitted to a test which
24 disclosed an alcohol concentration of 0.04 or more, or any
25 amount of a drug, substance, or compound in such person's
26 blood, saliva, or urine resulting from the unlawful use or

1 consumption of cannabis listed in the Cannabis Control Act, a
2 controlled substance listed in the Illinois Controlled
3 Substances Act, an intoxicating compound listed in the Use of
4 Intoxicating Compounds Act, or methamphetamine as listed in the
5 Methamphetamine Control and Community Protection Act.

6 (c) The police officer submitting the Sworn Report under
7 this Section shall serve notice of the CDL disqualification on
8 the person and such CDL disqualification shall be effective as
9 provided in paragraph (d). In cases where the blood alcohol
10 concentration of 0.04 or more, or any amount of a drug,
11 substance, or compound in such person's blood, saliva, or urine
12 resulting from the unlawful use or consumption of cannabis
13 listed in the Cannabis Control Act, a controlled substance
14 listed in the Illinois Controlled Substances Act, an
15 intoxicating compound listed in the Use of Intoxicating
16 Compounds Act, or methamphetamine as listed in the
17 Methamphetamine Control and Community Protection Act, is
18 established by subsequent analysis of blood, saliva, or urine
19 collected at the time of the request, the police officer shall
20 give notice as provided in this Section or by deposit in the
21 United States mail of such notice as provided in this Section
22 or by deposit in the United States mail of such notice in an
23 envelope with postage prepaid and addressed to such person's
24 domiciliary address as shown on the Sworn Report and the CDL
25 disqualification shall begin as provided in paragraph (d).

26 (d) The CDL disqualification referred to in this Section

1 shall take effect on the 46th day following the date the Sworn
2 Report was given to the affected person.

3 (e) Upon receipt of the Sworn Report from the police
4 officer, the Secretary of State shall disqualify the person
5 from driving any commercial motor vehicle and shall confirm the
6 CDL disqualification by mailing the notice of the effective
7 date to the person. However, should the Sworn Report be
8 defective by not containing sufficient information or be
9 completed in error, the confirmation of the CDL
10 disqualification shall not be mailed to the affected person or
11 entered into the record, instead the Sworn Report shall be
12 forwarded to the issuing agency identifying any such defect.

13 (Source: P.A. 95-355, eff. 1-1-08.)

14 (625 ILCS 5/11-401) (from Ch. 95 1/2, par. 11-401)

15 Sec. 11-401. Motor vehicle accidents involving death or
16 personal injuries.

17 (a) The driver of any vehicle involved in a motor vehicle
18 accident resulting in personal injury to or death of any person
19 shall immediately stop such vehicle at the scene of such
20 accident, or as close thereto as possible and shall then
21 forthwith return to, and in every event shall remain at the
22 scene of the accident until the requirements of Section 11-403
23 have been fulfilled. Every such stop shall be made without
24 obstructing traffic more than is necessary.

25 (b) Any person who has failed to stop or to comply with the

1 requirements of paragraph (a) shall, as soon as possible but in
2 no case later than one-half hour after such motor vehicle
3 accident, or, if hospitalized and incapacitated from reporting
4 at any time during such period, as soon as possible but in no
5 case later than one-half hour after being discharged from the
6 hospital, report the place of the accident, the date, the
7 approximate time, the driver's name and address, the
8 registration number of the vehicle driven, and the names of all
9 other occupants of such vehicle, at a police station or
10 sheriff's office near the place where such accident occurred.
11 No report made as required under this paragraph shall be used,
12 directly or indirectly, as a basis for the prosecution of any
13 violation of paragraph (a).

14 (b-1) Any person arrested for violating this Section is
15 subject to chemical testing of his or her blood, breath,
16 saliva, or urine for the presence of alcohol, other drug or
17 drugs, intoxicating compound or compounds, or any combination
18 thereof, as provided in Section 11-501.1, if the testing occurs
19 within 12 hours of the time of the occurrence of the accident
20 that led to his or her arrest. The person's driving privileges
21 are subject to statutory summary suspension under Section
22 11-501.1 if he or she fails testing or statutory summary
23 revocation under Section 11-501.1 if he or she refuses to
24 undergo the testing.

25 For purposes of this Section, personal injury shall mean
26 any injury requiring immediate professional treatment in a

1 medical facility or doctor's office.

2 (c) Any person failing to comply with paragraph (a) shall
3 be guilty of a Class 4 felony.

4 (d) Any person failing to comply with paragraph (b) is
5 guilty of a Class 2 felony if the motor vehicle accident does
6 not result in the death of any person. Any person failing to
7 comply with paragraph (b) when the accident results in the
8 death of any person is guilty of a Class 1 felony.

9 (e) The Secretary of State shall revoke the driving
10 privilege of any person convicted of a violation of this
11 Section.

12 (Source: P.A. 95-347, eff. 1-1-08; 96-1344, eff. 7-1-11.)

13 (625 ILCS 5/11-500) (from Ch. 95 1/2, par. 11-500)

14 Sec. 11-500. Definitions. For the purposes of interpreting
15 Sections 6-206.1 and 6-208.1 of this Code, "first offender"
16 shall mean any person who has not had a previous conviction or
17 court assigned supervision for violating Section 11-501, or a
18 similar provision of a local ordinance, or a conviction in any
19 other state for a violation of driving while under the
20 influence or a similar offense where the cause of action is the
21 same or substantially similar to this Code or similar offenses
22 committed on a military installation, or any person who has not
23 had a driver's license suspension pursuant to paragraph 6 of
24 subsection (a) of Section 6-206 as the result of refusal of
25 chemical testing in another state, or any person who has not

1 had a driver's license suspension or revocation for violating
2 Section 11-501.1 within 5 years prior to the date of the
3 current offense, except in cases where the driver submitted to
4 chemical testing resulting in an alcohol concentration of 0.08
5 or more, or any amount of a drug, substance, or compound in
6 such person's blood, saliva, or urine resulting from the
7 unlawful use or consumption of cannabis listed in the Cannabis
8 Control Act, a controlled substance listed in the Illinois
9 Controlled Substances Act, or an intoxicating compound listed
10 in the Use of Intoxicating Compounds Act, or methamphetamine as
11 listed in the Methamphetamine Control and Community Protection
12 Act and was subsequently found not guilty of violating Section
13 11-501, or a similar provision of a local ordinance.

14 (Source: P.A. 95-355, eff. 1-1-08; 96-607, eff. 8-24-09;
15 96-1344, eff. 7-1-11.)

16 (625 ILCS 5/11-500.1)

17 Sec. 11-500.1. Immunity.

18 (a) A person authorized under this Article to withdraw
19 blood or collect saliva or urine shall not be civilly liable
20 for damages when the person, in good faith, withdraws blood or
21 collects saliva or urine for evidentiary purposes under this
22 Code, upon the request of a law enforcement officer, unless the
23 act is performed in a willful and wanton manner.

24 (b) As used in this Section, "willful and wanton manner"
25 means a course of action that shows an actual or deliberate

1 intention to cause harm or which, if not intentional, shows an
2 utter indifference to or conscious disregard for the health or
3 safety of another.

4 (Source: P.A. 89-689, eff. 12-31-96.)

5 (625 ILCS 5/11-501) (from Ch. 95 1/2, par. 11-501)

6 Sec. 11-501. Driving while under the influence of alcohol,
7 other drug or drugs, intoxicating compound or compounds or any
8 combination thereof.

9 (a) A person shall not drive or be in actual physical
10 control of any vehicle within this State while:

11 (1) the alcohol concentration in the person's blood, l
12 saliva, or breath is 0.08 or more based on the definition
13 of blood and breath units in Section 11-501.2;

14 (2) under the influence of alcohol;

15 (3) under the influence of any intoxicating compound or
16 combination of intoxicating compounds to a degree that
17 renders the person incapable of driving safely;

18 (4) under the influence of any other drug or
19 combination of drugs to a degree that renders the person
20 incapable of safely driving;

21 (5) under the combined influence of alcohol, other drug
22 or drugs, or intoxicating compound or compounds to a degree
23 that renders the person incapable of safely driving; or

24 (6) there is any amount of a drug, substance, or
25 compound in the person's breath, blood, saliva, or urine

1 resulting from the unlawful use or consumption of cannabis
2 listed in the Cannabis Control Act, a controlled substance
3 listed in the Illinois Controlled Substances Act, an
4 intoxicating compound listed in the Use of Intoxicating
5 Compounds Act, or methamphetamine as listed in the
6 Methamphetamine Control and Community Protection Act.
7 Subject to all other requirements and provisions under this
8 Section, this paragraph (6) does not apply to the lawful
9 consumption of cannabis by a qualifying patient licensed
10 under the Compassionate Use of Medical Cannabis Pilot
11 Program Act who is in possession of a valid registry card
12 issued under that Act, unless that person is impaired by
13 the use of cannabis.

14 (b) The fact that any person charged with violating this
15 Section is or has been legally entitled to use alcohol,
16 cannabis under the Compassionate Use of Medical Cannabis Pilot
17 Program Act, other drug or drugs, or intoxicating compound or
18 compounds, or any combination thereof, shall not constitute a
19 defense against any charge of violating this Section.

20 (c) Penalties.

21 (1) Except as otherwise provided in this Section, any
22 person convicted of violating subsection (a) of this
23 Section is guilty of a Class A misdemeanor.

24 (2) A person who violates subsection (a) or a similar
25 provision a second time shall be sentenced to a mandatory
26 minimum term of either 5 days of imprisonment or 240 hours

1 of community service in addition to any other criminal or
2 administrative sanction.

3 (3) A person who violates subsection (a) is subject to
4 6 months of imprisonment, an additional mandatory minimum
5 fine of \$1,000, and 25 days of community service in a
6 program benefiting children if the person was transporting
7 a person under the age of 16 at the time of the violation.

8 (4) A person who violates subsection (a) a first time,
9 if the alcohol concentration in his or her blood, breath,
10 saliva, or urine was 0.16 or more based on the definition
11 of blood, breath, saliva, or urine units in Section
12 11-501.2, shall be subject, in addition to any other
13 penalty that may be imposed, to a mandatory minimum of 100
14 hours of community service and a mandatory minimum fine of
15 \$500.

16 (5) A person who violates subsection (a) a second time,
17 if at the time of the second violation the alcohol
18 concentration in his or her blood, breath, saliva, or urine
19 was 0.16 or more based on the definition of blood, breath,
20 saliva, or urine units in Section 11-501.2, shall be
21 subject, in addition to any other penalty that may be
22 imposed, to a mandatory minimum of 2 days of imprisonment
23 and a mandatory minimum fine of \$1,250.

24 (d) Aggravated driving under the influence of alcohol,
25 other drug or drugs, or intoxicating compound or compounds, or
26 any combination thereof.

1 (1) Every person convicted of committing a violation of
2 this Section shall be guilty of aggravated driving under
3 the influence of alcohol, other drug or drugs, or
4 intoxicating compound or compounds, or any combination
5 thereof if:

6 (A) the person committed a violation of subsection
7 (a) or a similar provision for the third or subsequent
8 time;

9 (B) the person committed a violation of subsection
10 (a) while driving a school bus with one or more
11 passengers on board;

12 (C) the person in committing a violation of
13 subsection (a) was involved in a motor vehicle accident
14 that resulted in great bodily harm or permanent
15 disability or disfigurement to another, when the
16 violation was a proximate cause of the injuries;

17 (D) the person committed a violation of subsection
18 (a) and has been previously convicted of violating
19 Section 9-3 of the Criminal Code of 1961 or the
20 Criminal Code of 2012 or a similar provision of a law
21 of another state relating to reckless homicide in which
22 the person was determined to have been under the
23 influence of alcohol, other drug or drugs, or
24 intoxicating compound or compounds as an element of the
25 offense or the person has previously been convicted
26 under subparagraph (C) or subparagraph (F) of this

1 paragraph (1);

2 (E) the person, in committing a violation of
3 subsection (a) while driving at any speed in a school
4 speed zone at a time when a speed limit of 20 miles per
5 hour was in effect under subsection (a) of Section
6 11-605 of this Code, was involved in a motor vehicle
7 accident that resulted in bodily harm, other than great
8 bodily harm or permanent disability or disfigurement,
9 to another person, when the violation of subsection (a)
10 was a proximate cause of the bodily harm;

11 (F) the person, in committing a violation of
12 subsection (a), was involved in a motor vehicle,
13 snowmobile, all-terrain vehicle, or watercraft
14 accident that resulted in the death of another person,
15 when the violation of subsection (a) was a proximate
16 cause of the death;

17 (G) the person committed a violation of subsection
18 (a) during a period in which the defendant's driving
19 privileges are revoked or suspended, where the
20 revocation or suspension was for a violation of
21 subsection (a) or a similar provision, Section
22 11-501.1, paragraph (b) of Section 11-401, or for
23 reckless homicide as defined in Section 9-3 of the
24 Criminal Code of 1961 or the Criminal Code of 2012;

25 (H) the person committed the violation while he or
26 she did not possess a driver's license or permit or a

1 restricted driving permit or a judicial driving permit
2 or a monitoring device driving permit;

3 (I) the person committed the violation while he or
4 she knew or should have known that the vehicle he or
5 she was driving was not covered by a liability
6 insurance policy;

7 (J) the person in committing a violation of
8 subsection (a) was involved in a motor vehicle accident
9 that resulted in bodily harm, but not great bodily
10 harm, to the child under the age of 16 being
11 transported by the person, if the violation was the
12 proximate cause of the injury;

13 (K) the person in committing a second violation of
14 subsection (a) or a similar provision was transporting
15 a person under the age of 16; or

16 (L) the person committed a violation of subsection
17 (a) of this Section while transporting one or more
18 passengers in a vehicle for-hire.

19 (2) (A) Except as provided otherwise, a person
20 convicted of aggravated driving under the influence of
21 alcohol, other drug or drugs, or intoxicating compound or
22 compounds, or any combination thereof is guilty of a Class
23 4 felony.

24 (B) A third violation of this Section or a similar
25 provision is a Class 2 felony. If at the time of the third
26 violation the alcohol concentration in his or her blood,

1 breath, saliva, or urine was 0.16 or more based on the
2 definition of blood, breath, saliva, or urine units in
3 Section 11-501.2, a mandatory minimum of 90 days of
4 imprisonment and a mandatory minimum fine of \$2,500 shall
5 be imposed in addition to any other criminal or
6 administrative sanction. If at the time of the third
7 violation, the defendant was transporting a person under
8 the age of 16, a mandatory fine of \$25,000 and 25 days of
9 community service in a program benefiting children shall be
10 imposed in addition to any other criminal or administrative
11 sanction.

12 (C) A fourth violation of this Section or a similar
13 provision is a Class 2 felony, for which a sentence of
14 probation or conditional discharge may not be imposed. If
15 at the time of the violation, the alcohol concentration in
16 the defendant's blood, breath, saliva, or urine was 0.16 or
17 more based on the definition of blood, breath, saliva, or
18 urine units in Section 11-501.2, a mandatory minimum fine
19 of \$5,000 shall be imposed in addition to any other
20 criminal or administrative sanction. If at the time of the
21 fourth violation, the defendant was transporting a person
22 under the age of 16 a mandatory fine of \$25,000 and 25 days
23 of community service in a program benefiting children shall
24 be imposed in addition to any other criminal or
25 administrative sanction.

26 (D) A fifth violation of this Section or a similar

1 provision is a Class 1 felony, for which a sentence of
2 probation or conditional discharge may not be imposed. If
3 at the time of the violation, the alcohol concentration in
4 the defendant's blood, breath, saliva, or urine was 0.16 or
5 more based on the definition of blood, breath, saliva, or
6 urine units in Section 11-501.2, a mandatory minimum fine
7 of \$5,000 shall be imposed in addition to any other
8 criminal or administrative sanction. If at the time of the
9 fifth violation, the defendant was transporting a person
10 under the age of 16, a mandatory fine of \$25,000, and 25
11 days of community service in a program benefiting children
12 shall be imposed in addition to any other criminal or
13 administrative sanction.

14 (E) A sixth or subsequent violation of this Section or
15 similar provision is a Class X felony. If at the time of
16 the violation, the alcohol concentration in the
17 defendant's blood, breath, saliva, or urine was 0.16 or
18 more based on the definition of blood, breath, saliva, or
19 urine units in Section 11-501.2, a mandatory minimum fine
20 of \$5,000 shall be imposed in addition to any other
21 criminal or administrative sanction. If at the time of the
22 violation, the defendant was transporting a person under
23 the age of 16, a mandatory fine of \$25,000 and 25 days of
24 community service in a program benefiting children shall be
25 imposed in addition to any other criminal or administrative
26 sanction.

1 (F) For a violation of subparagraph (C) of paragraph
2 (1) of this subsection (d), the defendant, if sentenced to
3 a term of imprisonment, shall be sentenced to not less than
4 one year nor more than 12 years.

5 (G) A violation of subparagraph (F) of paragraph (1) of
6 this subsection (d) is a Class 2 felony, for which the
7 defendant, unless the court determines that extraordinary
8 circumstances exist and require probation, shall be
9 sentenced to: (i) a term of imprisonment of not less than 3
10 years and not more than 14 years if the violation resulted
11 in the death of one person; or (ii) a term of imprisonment
12 of not less than 6 years and not more than 28 years if the
13 violation resulted in the deaths of 2 or more persons.

14 (H) For a violation of subparagraph (J) of paragraph
15 (1) of this subsection (d), a mandatory fine of \$2,500, and
16 25 days of community service in a program benefiting
17 children shall be imposed in addition to any other criminal
18 or administrative sanction.

19 (I) A violation of subparagraph (K) of paragraph (1) of
20 this subsection (d), is a Class 2 felony and a mandatory
21 fine of \$2,500, and 25 days of community service in a
22 program benefiting children shall be imposed in addition to
23 any other criminal or administrative sanction. If the child
24 being transported suffered bodily harm, but not great
25 bodily harm, in a motor vehicle accident, and the violation
26 was the proximate cause of that injury, a mandatory fine of

1 \$5,000 and 25 days of community service in a program
2 benefiting children shall be imposed in addition to any
3 other criminal or administrative sanction.

4 (J) A violation of subparagraph (D) of paragraph (1) of
5 this subsection (d) is a Class 3 felony, for which a
6 sentence of probation or conditional discharge may not be
7 imposed.

8 (3) Any person sentenced under this subsection (d) who
9 receives a term of probation or conditional discharge must
10 serve a minimum term of either 480 hours of community
11 service or 10 days of imprisonment as a condition of the
12 probation or conditional discharge in addition to any other
13 criminal or administrative sanction.

14 (e) Any reference to a prior violation of subsection (a) or
15 a similar provision includes any violation of a provision of a
16 local ordinance or a provision of a law of another state or an
17 offense committed on a military installation that is similar to
18 a violation of subsection (a) of this Section.

19 (f) The imposition of a mandatory term of imprisonment or
20 assignment of community service for a violation of this Section
21 shall not be suspended or reduced by the court.

22 (g) Any penalty imposed for driving with a license that has
23 been revoked for a previous violation of subsection (a) of this
24 Section shall be in addition to the penalty imposed for any
25 subsequent violation of subsection (a).

26 (h) For any prosecution under this Section, a certified

1 copy of the driving abstract of the defendant shall be admitted
2 as proof of any prior conviction.

3 (Source: P.A. 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14;
4 98-573, eff. 8-27-13; 98-756, eff. 7-16-14.)

5 (625 ILCS 5/11-501.1)

6 Sec. 11-501.1. Suspension of drivers license; statutory
7 summary alcohol, other drug or drugs, or intoxicating compound
8 or compounds related suspension or revocation; implied
9 consent.

10 (a) Any person who drives or is in actual physical control
11 of a motor vehicle upon the public highways of this State shall
12 be deemed to have given consent, subject to the provisions of
13 Section 11-501.2, to a chemical test or tests of blood, breath,
14 saliva, or urine for the purpose of determining the content of
15 alcohol, other drug or drugs, or intoxicating compound or
16 compounds or any combination thereof in the person's blood if
17 arrested, as evidenced by the issuance of a Uniform Traffic
18 Ticket, for any offense as defined in Section 11-501 or a
19 similar provision of a local ordinance, or if arrested for
20 violating Section 11-401. If a law enforcement officer has
21 probable cause to believe the person was under the influence of
22 alcohol, other drug or drugs, intoxicating compound or
23 compounds, or any combination thereof, the law enforcement
24 officer shall request a chemical test or tests which shall be
25 administered at the direction of the arresting officer. The law

1 enforcement agency employing the officer shall designate which
2 of the aforesaid tests shall be administered. A saliva or urine
3 test may be administered even after a blood or breath test or
4 both has been administered. For purposes of this Section, an
5 Illinois law enforcement officer of this State who is
6 investigating the person for any offense defined in Section
7 11-501 may travel into an adjoining state, where the person has
8 been transported for medical care, to complete an investigation
9 and to request that the person submit to the test or tests set
10 forth in this Section. The requirements of this Section that
11 the person be arrested are inapplicable, but the officer shall
12 issue the person a Uniform Traffic Ticket for an offense as
13 defined in Section 11-501 or a similar provision of a local
14 ordinance prior to requesting that the person submit to the
15 test or tests. The issuance of the Uniform Traffic Ticket shall
16 not constitute an arrest, but shall be for the purpose of
17 notifying the person that he or she is subject to the
18 provisions of this Section and of the officer's belief of the
19 existence of probable cause to arrest. Upon returning to this
20 State, the officer shall file the Uniform Traffic Ticket with
21 the Circuit Clerk of the county where the offense was
22 committed, and shall seek the issuance of an arrest warrant or
23 a summons for the person.

24 (a-5) (Blank).

25 (b) Any person who is dead, unconscious, or who is
26 otherwise in a condition rendering the person incapable of

1 refusal, shall be deemed not to have withdrawn the consent
2 provided by paragraph (a) of this Section and the test or tests
3 may be administered, subject to the provisions of Section
4 11-501.2.

5 (c) A person requested to submit to a test as provided
6 above shall be warned by the law enforcement officer requesting
7 the test that a refusal to submit to the test will result in
8 the statutory summary suspension of the person's privilege to
9 operate a motor vehicle, as provided in Section 6-208.1 of this
10 Code, and will also result in the disqualification of the
11 person's privilege to operate a commercial motor vehicle, as
12 provided in Section 6-514 of this Code, if the person is a CDL
13 holder. The person shall also be warned that a refusal to
14 submit to the test, when the person was involved in a motor
15 vehicle accident that caused personal injury or death to
16 another, will result in the statutory summary revocation of the
17 person's privilege to operate a motor vehicle, as provided in
18 Section 6-208.1, and will also result in the disqualification
19 of the person's privilege to operate a commercial motor
20 vehicle, as provided in Section 6-514 of this Code, if the
21 person is a CDL holder. The person shall also be warned by the
22 law enforcement officer that if the person submits to the test
23 or tests provided in paragraph (a) of this Section and the
24 alcohol concentration in the person's blood, saliva, or breath
25 is 0.08 or greater, or any amount of a drug, substance, or
26 compound resulting from the unlawful use or consumption of

1 cannabis as covered by the Cannabis Control Act, a controlled
2 substance listed in the Illinois Controlled Substances Act, an
3 intoxicating compound listed in the Use of Intoxicating
4 Compounds Act, or methamphetamine as listed in the
5 Methamphetamine Control and Community Protection Act is
6 detected in the person's blood, saliva, or urine, a statutory
7 summary suspension of the person's privilege to operate a motor
8 vehicle, as provided in Sections 6-208.1 and 11-501.1 of this
9 Code, and a disqualification of the person's privilege to
10 operate a commercial motor vehicle, as provided in Section
11 6-514 of this Code, if the person is a CDL holder, will be
12 imposed.

13 A person who is under the age of 21 at the time the person
14 is requested to submit to a test as provided above shall, in
15 addition to the warnings provided for in this Section, be
16 further warned by the law enforcement officer requesting the
17 test that if the person submits to the test or tests provided
18 in paragraph (a) of this Section and the alcohol concentration
19 in the person's blood, saliva, or breath is greater than 0.00
20 and less than 0.08, a suspension of the person's privilege to
21 operate a motor vehicle, as provided under Sections 6-208.2 and
22 11-501.8 of this Code, will be imposed. The results of this
23 test shall be admissible in a civil or criminal action or
24 proceeding arising from an arrest for an offense as defined in
25 Section 11-501 of this Code or a similar provision of a local
26 ordinance or pursuant to Section 11-501.4 in prosecutions for

1 reckless homicide brought under the Criminal Code of 1961 or
2 the Criminal Code of 2012. These test results, however, shall
3 be admissible only in actions or proceedings directly related
4 to the incident upon which the test request was made.

5 (d) If the person refuses testing or submits to a test that
6 discloses an alcohol concentration of 0.08 or more, or any
7 amount of a drug, substance, or intoxicating compound in the
8 person's breath, blood, saliva, or urine resulting from the
9 unlawful use or consumption of cannabis listed in the Cannabis
10 Control Act, a controlled substance listed in the Illinois
11 Controlled Substances Act, an intoxicating compound listed in
12 the Use of Intoxicating Compounds Act, or methamphetamine as
13 listed in the Methamphetamine Control and Community Protection
14 Act, the law enforcement officer shall immediately submit a
15 sworn report to the circuit court of venue and the Secretary of
16 State, certifying that the test or tests was or were requested
17 under paragraph (a) and the person refused to submit to a test,
18 or tests, or submitted to testing that disclosed an alcohol
19 concentration of 0.08 or more.

20 (e) Upon receipt of the sworn report of a law enforcement
21 officer submitted under paragraph (d), the Secretary of State
22 shall enter the statutory summary suspension or revocation and
23 disqualification for the periods specified in Sections 6-208.1
24 and 6-514, respectively, and effective as provided in paragraph
25 (g).

26 If the person is a first offender as defined in Section

1 11-500 of this Code, and is not convicted of a violation of
2 Section 11-501 of this Code or a similar provision of a local
3 ordinance, then reports received by the Secretary of State
4 under this Section shall, except during the actual time the
5 Statutory Summary Suspension is in effect, be privileged
6 information and for use only by the courts, police officers,
7 prosecuting authorities or the Secretary of State, unless the
8 person is a CDL holder, is operating a commercial motor vehicle
9 or vehicle required to be placarded for hazardous materials, in
10 which case the suspension shall not be privileged. Reports
11 received by the Secretary of State under this Section shall
12 also be made available to the parent or guardian of a person
13 under the age of 18 years that holds an instruction permit or a
14 graduated driver's license, regardless of whether the
15 statutory summary suspension is in effect. A statutory summary
16 revocation shall not be privileged information.

17 (f) The law enforcement officer submitting the sworn report
18 under paragraph (d) shall serve immediate notice of the
19 statutory summary suspension or revocation on the person and
20 the suspension or revocation and disqualification shall be
21 effective as provided in paragraph (g).

22 (1) In cases where the blood alcohol concentration of
23 0.08 or greater or any amount of a drug, substance, or
24 compound resulting from the unlawful use or consumption of
25 cannabis as covered by the Cannabis Control Act, a
26 controlled substance listed in the Illinois Controlled

1 Substances Act, an intoxicating compound listed in the Use
2 of Intoxicating Compounds Act, or methamphetamine as
3 listed in the Methamphetamine Control and Community
4 Protection Act is established by a subsequent analysis of
5 blood, saliva, or urine collected at the time of arrest,
6 the arresting officer or arresting agency shall give notice
7 as provided in this Section or by deposit in the United
8 States mail of the notice in an envelope with postage
9 prepaid and addressed to the person at his address as shown
10 on the Uniform Traffic Ticket and the statutory summary
11 suspension and disqualification shall begin as provided in
12 paragraph (g). The officer shall confiscate any Illinois
13 driver's license or permit on the person at the time of
14 arrest. If the person has a valid driver's license or
15 permit, the officer shall issue the person a receipt, in a
16 form prescribed by the Secretary of State, that will allow
17 that person to drive during the periods provided for in
18 paragraph (g). The officer shall immediately forward the
19 driver's license or permit to the circuit court of venue
20 along with the sworn report provided for in paragraph (d).

21 (2) (Blank).

22 (g) The statutory summary suspension or revocation and
23 disqualification referred to in this Section shall take effect
24 on the 46th day following the date the notice of the statutory
25 summary suspension or revocation was given to the person.

26 (h) The following procedure shall apply whenever a person

1 is arrested for any offense as defined in Section 11-501 or a
2 similar provision of a local ordinance:

3 Upon receipt of the sworn report from the law enforcement
4 officer, the Secretary of State shall confirm the statutory
5 summary suspension or revocation by mailing a notice of the
6 effective date of the suspension or revocation to the person
7 and the court of venue. The Secretary of State shall also mail
8 notice of the effective date of the disqualification to the
9 person. However, should the sworn report be defective by not
10 containing sufficient information or be completed in error, the
11 confirmation of the statutory summary suspension or revocation
12 shall not be mailed to the person or entered to the record;
13 instead, the sworn report shall be forwarded to the court of
14 venue with a copy returned to the issuing agency identifying
15 any defect.

16 (i) As used in this Section, "personal injury" includes any
17 Type A injury as indicated on the traffic accident report
18 completed by a law enforcement officer that requires immediate
19 professional attention in either a doctor's office or a medical
20 facility. A Type A injury includes severely bleeding wounds,
21 distorted extremities, and injuries that require the injured
22 party to be carried from the scene.

23 (Source: P.A. 97-333, eff. 8-12-11; 97-471, eff. 8-22-11;
24 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14; 98-1172, eff.
25 1-12-15.)

1 (625 ILCS 5/11-501.2) (from Ch. 95 1/2, par. 11-501.2)

2 Sec. 11-501.2. Chemical and other tests.

3 (a) Upon the trial of any civil or criminal action or
4 proceeding arising out of an arrest for an offense as defined
5 in Section 11-501 or a similar local ordinance or proceedings
6 pursuant to Section 2-118.1, evidence of the concentration of
7 alcohol, other drug or drugs, or intoxicating compound or
8 compounds, or any combination thereof in a person's blood or
9 breath at the time alleged, as determined by analysis of the
10 person's blood, urine, breath, saliva, or other bodily
11 substance, shall be admissible. Where such test is made the
12 following provisions shall apply:

13 1. Chemical analyses of the person's blood, urine,
14 breath, saliva, or other bodily substance to be considered
15 valid under the provisions of this Section shall have been
16 performed according to standards promulgated by the
17 Department of State Police by a licensed physician,
18 registered nurse, trained phlebotomist, licensed
19 paramedic, or other individual possessing a valid permit
20 issued by that Department for this purpose. The Director of
21 State Police is authorized to approve satisfactory
22 techniques or methods, to ascertain the qualifications and
23 competence of individuals to conduct such analyses, to
24 issue permits which shall be subject to termination or
25 revocation at the discretion of that Department and to
26 certify the accuracy of breath testing equipment. The

1 Department of State Police shall prescribe regulations as
2 necessary to implement this Section.

3 2. When a person in this State shall submit to a blood
4 test at the request of a law enforcement officer under the
5 provisions of Section 11-501.1, only a physician
6 authorized to practice medicine, a licensed physician
7 assistant, a licensed advanced practice nurse, a
8 registered nurse, trained phlebotomist, or licensed
9 paramedic, or other qualified person approved by the
10 Department of State Police may withdraw blood for the
11 purpose of determining the alcohol, drug, or alcohol and
12 drug content therein. This limitation shall not apply to
13 the taking of breath, saliva, or urine specimens.

14 When a blood test of a person who has been taken to an
15 adjoining state for medical treatment is requested by an
16 Illinois law enforcement officer, the blood may be
17 withdrawn only by a physician authorized to practice
18 medicine in the adjoining state, a licensed physician
19 assistant, a licensed advanced practice nurse, a
20 registered nurse, a trained phlebotomist acting under the
21 direction of the physician, or licensed paramedic. The law
22 enforcement officer requesting the test shall take custody
23 of the blood sample, and the blood sample shall be analyzed
24 by a laboratory certified by the Department of State Police
25 for that purpose.

26 3. The person tested may have a physician, or a

1 qualified technician, chemist, registered nurse, or other
2 qualified person of their own choosing administer a
3 chemical test or tests in addition to any administered at
4 the direction of a law enforcement officer. The failure or
5 inability to obtain an additional test by a person shall
6 not preclude the admission of evidence relating to the test
7 or tests taken at the direction of a law enforcement
8 officer.

9 4. Upon the request of the person who shall submit to a
10 chemical test or tests at the request of a law enforcement
11 officer, full information concerning the test or tests
12 shall be made available to the person or such person's
13 attorney.

14 5. Alcohol concentration shall mean either grams of
15 alcohol per 100 milliliters of blood or grams of alcohol
16 per 210 liters of breath.

17 (a-5) Law enforcement officials may use standardized field
18 sobriety tests approved by the National Highway Traffic Safety
19 Administration when conducting investigations of a violation
20 of Section 11-501 or similar local ordinance by drivers
21 suspected of driving under the influence of cannabis. The
22 General Assembly finds that standardized field sobriety tests
23 approved by the National Highway Traffic Safety Administration
24 are divided attention tasks that are intended to determine if a
25 person is under the influence of cannabis. The purpose of these
26 tests is to determine the effect of the use of cannabis on a

1 person's capacity to think and act with ordinary care and
2 therefore operate a motor vehicle safely. Therefore, the
3 results of these standardized field sobriety tests,
4 appropriately administered, shall be admissible in the trial of
5 any civil or criminal action or proceeding arising out of an
6 arrest for a cannabis-related offense as defined in Section
7 11-501 or a similar local ordinance or proceedings under
8 Section 2-118.1 or 2-118.2. Where a test is made the following
9 provisions shall apply:

10 1. The person tested may have a physician, or a
11 qualified technician, chemist, registered nurse, or other
12 qualified person of their own choosing administer a
13 chemical test or tests in addition to the standardized
14 field sobriety test or tests administered at the direction
15 of a law enforcement officer. The failure or inability to
16 obtain an additional test by a person does not preclude the
17 admission of evidence relating to the test or tests taken
18 at the direction of a law enforcement officer.

19 2. Upon the request of the person who shall submit to a
20 standardized field sobriety test or tests at the request of
21 a law enforcement officer, full information concerning the
22 test or tests shall be made available to the person or the
23 person's attorney.

24 3. At the trial of any civil or criminal action or
25 proceeding arising out of an arrest for an offense as
26 defined in Section 11-501 or a similar local ordinance or

1 proceedings under Section 2-118.1 or 2-118.2 in which the
2 results of these standardized field sobriety tests are
3 admitted, the cardholder may present and the trier of fact
4 may consider evidence that the card holder lacked the
5 physical capacity to perform the standardized field
6 sobriety tests.

7 (b) Upon the trial of any civil or criminal action or
8 proceeding arising out of acts alleged to have been committed
9 by any person while driving or in actual physical control of a
10 vehicle while under the influence of alcohol, the concentration
11 of alcohol in the person's blood or breath at the time alleged
12 as shown by analysis of the person's blood, urine, breath,
13 saliva, or other bodily substance shall give rise to the
14 following presumptions:

15 1. If there was at that time an alcohol concentration
16 of 0.05 or less, it shall be presumed that the person was
17 not under the influence of alcohol.

18 2. If there was at that time an alcohol concentration
19 in excess of 0.05 but less than 0.08, such facts shall not
20 give rise to any presumption that the person was or was not
21 under the influence of alcohol, but such fact may be
22 considered with other competent evidence in determining
23 whether the person was under the influence of alcohol.

24 3. If there was at that time an alcohol concentration
25 of 0.08 or more, it shall be presumed that the person was
26 under the influence of alcohol.

1 4. The foregoing provisions of this Section shall not
2 be construed as limiting the introduction of any other
3 relevant evidence bearing upon the question whether the
4 person was under the influence of alcohol.

5 (c) 1. If a person under arrest refuses to submit to a
6 chemical test under the provisions of Section 11-501.1,
7 evidence of refusal shall be admissible in any civil or
8 criminal action or proceeding arising out of acts alleged to
9 have been committed while the person under the influence of
10 alcohol, other drug or drugs, or intoxicating compound or
11 compounds, or any combination thereof was driving or in actual
12 physical control of a motor vehicle.

13 2. Notwithstanding any ability to refuse under this Code to
14 submit to these tests or any ability to revoke the implied
15 consent to these tests, if a law enforcement officer has
16 probable cause to believe that a motor vehicle driven by or in
17 actual physical control of a person under the influence of
18 alcohol, other drug or drugs, or intoxicating compound or
19 compounds, or any combination thereof has caused the death or
20 personal injury to another, the law enforcement officer shall
21 request, and that person shall submit, upon the request of a
22 law enforcement officer, to a chemical test or tests of his or
23 her blood, breath, saliva, or urine for the purpose of
24 determining the alcohol content thereof or the presence of any
25 other drug or combination of both.

26 This provision does not affect the applicability of or

1 imposition of driver's license sanctions under Section
2 11-501.1 of this Code.

3 3. For purposes of this Section, a personal injury includes
4 any Type A injury as indicated on the traffic accident report
5 completed by a law enforcement officer that requires immediate
6 professional attention in either a doctor's office or a medical
7 facility. A Type A injury includes severe bleeding wounds,
8 distorted extremities, and injuries that require the injured
9 party to be carried from the scene.

10 (d) If a person refuses standardized field sobriety tests
11 under Section 11-501.9 of this Code, evidence of refusal shall
12 be admissible in any civil or criminal action or proceeding
13 arising out of acts committed while the person was driving or
14 in actual physical control of a vehicle and alleged to have
15 been impaired by the use of cannabis.

16 (Source: P.A. 97-450, eff. 8-19-11; 97-471, eff. 8-22-11;
17 97-813, eff. 7-13-12; 98-122, eff. 1-1-14; 98-973, eff.
18 8-15-14; 98-1172, eff. 1-12-15.)

19 (625 ILCS 5/11-501.4) (from Ch. 95 1/2, par. 11-501.4)

20 Sec. 11-501.4. Admissibility of chemical tests of blood,
21 saliva, or urine conducted in the regular course of providing
22 emergency medical treatment.

23 (a) Notwithstanding any other provision of law, the results
24 of blood, saliva, or urine tests performed for the purpose of
25 determining the content of alcohol, other drug or drugs, or

1 intoxicating compound or compounds, or any combination
2 thereof, of an individual's blood, saliva, or urine conducted
3 upon persons receiving medical treatment in a hospital
4 emergency room are admissible in evidence as a business record
5 exception to the hearsay rule only in prosecutions for any
6 violation of Section 11-501 of this Code or a similar provision
7 of a local ordinance, or in prosecutions for reckless homicide
8 brought under the Criminal Code of 1961 or the Criminal Code of
9 2012, when each of the following criteria are met:

10 (1) the chemical tests performed upon an individual's
11 blood, saliva, or urine were ordered in the regular course
12 of providing emergency medical treatment and not at the
13 request of law enforcement authorities;

14 (2) the chemical tests performed upon an individual's
15 blood, saliva, or urine were performed by the laboratory
16 routinely used by the hospital; and

17 (3) results of chemical tests performed upon an
18 individual's blood, saliva, or urine are admissible into
19 evidence regardless of the time that the records were
20 prepared.

21 (b) The confidentiality provisions of law pertaining to
22 medical records and medical treatment shall not be applicable
23 with regard to chemical tests performed upon an individual's
24 blood, saliva, or urine under the provisions of this Section in
25 prosecutions as specified in subsection (a) of this Section. No
26 person shall be liable for civil damages as a result of the

1 evidentiary use of chemical testing of an individual's blood,
2 saliva, or urine test results under this Section, or as a
3 result of that person's testimony made available under this
4 Section.

5 (Source: P.A. 96-289, eff. 8-11-09; 97-1150, eff. 1-25-13.)

6 (625 ILCS 5/11-501.4-1)

7 Sec. 11-501.4-1. Reporting of test results of blood,
8 saliva, or urine conducted in the regular course of providing
9 emergency medical treatment.

10 (a) Notwithstanding any other provision of law, the results
11 of blood, saliva, or urine tests performed for the purpose of
12 determining the content of alcohol, other drug or drugs, or
13 intoxicating compound or compounds, or any combination
14 thereof, in an individual's blood, saliva, or urine conducted
15 upon persons receiving medical treatment in a hospital
16 emergency room for injuries resulting from a motor vehicle
17 accident shall be disclosed to the Department of State Police
18 or local law enforcement agencies of jurisdiction, upon
19 request. Such blood, saliva, or urine tests are admissible in
20 evidence as a business record exception to the hearsay rule
21 only in prosecutions for any violation of Section 11-501 of
22 this Code or a similar provision of a local ordinance, or in
23 prosecutions for reckless homicide brought under the Criminal
24 Code of 1961 or the Criminal Code of 2012.

25 (b) The confidentiality provisions of law pertaining to

1 medical records and medical treatment shall not be applicable
2 with regard to tests performed upon an individual's blood,
3 saliva, or urine under the provisions of subsection (a) of this
4 Section. No person shall be liable for civil damages or
5 professional discipline as a result of the disclosure or
6 reporting of the tests or the evidentiary use of an
7 individual's blood, saliva, or urine test results under this
8 Section or Section 11-501.4 or as a result of that person's
9 testimony made available under this Section or Section
10 11-501.4, except for willful or wanton misconduct.

11 (Source: P.A. 97-1150, eff. 1-25-13.)

12 (625 ILCS 5/11-501.6) (from Ch. 95 1/2, par. 11-501.6)

13 Sec. 11-501.6. Driver involvement in personal injury or
14 fatal motor vehicle accident; chemical test.

15 (a) Any person who drives or is in actual control of a
16 motor vehicle upon the public highways of this State and who
17 has been involved in a personal injury or fatal motor vehicle
18 accident, shall be deemed to have given consent to a breath
19 test using a portable device as approved by the Department of
20 State Police or to a chemical test or tests of blood, breath,
21 saliva, or urine for the purpose of determining the content of
22 alcohol, other drug or drugs, or intoxicating compound or
23 compounds of such person's blood if arrested as evidenced by
24 the issuance of a Uniform Traffic Ticket for any violation of
25 the Illinois Vehicle Code or a similar provision of a local

1 ordinance, with the exception of equipment violations
2 contained in Chapter 12 of this Code, or similar provisions of
3 local ordinances. The test or tests shall be administered at
4 the direction of the arresting officer. The law enforcement
5 agency employing the officer shall designate which of the
6 aforesaid tests shall be administered. A saliva or urine test
7 may be administered even after a blood or breath test or both
8 has been administered. Compliance with this Section does not
9 relieve such person from the requirements of Section 11-501.1
10 of this Code.

11 (b) Any person who is dead, unconscious or who is otherwise
12 in a condition rendering such person incapable of refusal shall
13 be deemed not to have withdrawn the consent provided by
14 subsection (a) of this Section. In addition, if a driver of a
15 vehicle is receiving medical treatment as a result of a motor
16 vehicle accident, any physician licensed to practice medicine,
17 licensed physician assistant, licensed advanced practice
18 nurse, registered nurse or a phlebotomist acting under the
19 direction of a licensed physician shall withdraw blood for
20 testing purposes to ascertain the presence of alcohol, other
21 drug or drugs, or intoxicating compound or compounds, upon the
22 specific request of a law enforcement officer. However, no such
23 testing shall be performed until, in the opinion of the medical
24 personnel on scene, the withdrawal can be made without
25 interfering with or endangering the well-being of the patient.

26 (c) A person requested to submit to a test as provided

1 above shall be warned by the law enforcement officer requesting
2 the test that a refusal to submit to the test, or submission to
3 the test resulting in an alcohol concentration of 0.08 or more,
4 or any amount of a drug, substance, or intoxicating compound
5 resulting from the unlawful use or consumption of cannabis, as
6 covered by the Cannabis Control Act, a controlled substance
7 listed in the Illinois Controlled Substances Act, an
8 intoxicating compound listed in the Use of Intoxicating
9 Compounds Act, or methamphetamine as listed in the
10 Methamphetamine Control and Community Protection Act as
11 detected in such person's blood, saliva, or urine, may result
12 in the suspension of such person's privilege to operate a motor
13 vehicle and may result in the disqualification of the person's
14 privilege to operate a commercial motor vehicle, as provided in
15 Section 6-514 of this Code, if the person is a CDL holder. The
16 length of the suspension shall be the same as outlined in
17 Section 6-208.1 of this Code regarding statutory summary
18 suspensions.

19 (d) If the person refuses testing or submits to a test
20 which discloses an alcohol concentration of 0.08 or more, or
21 any amount of a drug, substance, or intoxicating compound in
22 such person's blood, saliva, or urine resulting from the
23 unlawful use or consumption of cannabis listed in the Cannabis
24 Control Act, a controlled substance listed in the Illinois
25 Controlled Substances Act, an intoxicating compound listed in
26 the Use of Intoxicating Compounds Act, or methamphetamine as

1 listed in the Methamphetamine Control and Community Protection
2 Act, the law enforcement officer shall immediately submit a
3 sworn report to the Secretary of State on a form prescribed by
4 the Secretary, certifying that the test or tests were requested
5 pursuant to subsection (a) and the person refused to submit to
6 a test or tests or submitted to testing which disclosed an
7 alcohol concentration of 0.08 or more, or any amount of a drug,
8 substance, or intoxicating compound in such person's blood,
9 saliva, or urine, resulting from the unlawful use or
10 consumption of cannabis listed in the Cannabis Control Act, a
11 controlled substance listed in the Illinois Controlled
12 Substances Act, an intoxicating compound listed in the Use of
13 Intoxicating Compounds Act, or methamphetamine as listed in the
14 Methamphetamine Control and Community Protection Act.

15 Upon receipt of the sworn report of a law enforcement
16 officer, the Secretary shall enter the suspension and
17 disqualification to the individual's driving record and the
18 suspension and disqualification shall be effective on the 46th
19 day following the date notice of the suspension was given to
20 the person.

21 The law enforcement officer submitting the sworn report
22 shall serve immediate notice of this suspension on the person
23 and such suspension and disqualification shall be effective on
24 the 46th day following the date notice was given.

25 In cases where the blood alcohol concentration of 0.08 or
26 more, or any amount of a drug, substance, or intoxicating

1 compound resulting from the unlawful use or consumption of
2 cannabis as listed in the Cannabis Control Act, a controlled
3 substance listed in the Illinois Controlled Substances Act, an
4 intoxicating compound listed in the Use of Intoxicating
5 Compounds Act, or methamphetamine as listed in the
6 Methamphetamine Control and Community Protection Act, is
7 established by a subsequent analysis of blood, saliva, or urine
8 collected at the time of arrest, the arresting officer shall
9 give notice as provided in this Section or by deposit in the
10 United States mail of such notice in an envelope with postage
11 prepaid and addressed to such person at his address as shown on
12 the Uniform Traffic Ticket and the suspension and
13 disqualification shall be effective on the 46th day following
14 the date notice was given.

15 Upon receipt of the sworn report of a law enforcement
16 officer, the Secretary shall also give notice of the suspension
17 and disqualification to the driver by mailing a notice of the
18 effective date of the suspension and disqualification to the
19 individual. However, should the sworn report be defective by
20 not containing sufficient information or be completed in error,
21 the notice of the suspension and disqualification shall not be
22 mailed to the person or entered to the driving record, but
23 rather the sworn report shall be returned to the issuing law
24 enforcement agency.

25 (e) A driver may contest this suspension of his or her
26 driving privileges and disqualification of his or her CDL

1 privileges by requesting an administrative hearing with the
2 Secretary in accordance with Section 2-118 of this Code. At the
3 conclusion of a hearing held under Section 2-118 of this Code,
4 the Secretary may rescind, continue, or modify the orders of
5 suspension and disqualification. If the Secretary does not
6 rescind the orders of suspension and disqualification, a
7 restricted driving permit may be granted by the Secretary upon
8 application being made and good cause shown. A restricted
9 driving permit may be granted to relieve undue hardship to
10 allow driving for employment, educational, and medical
11 purposes as outlined in Section 6-206 of this Code. The
12 provisions of Section 6-206 of this Code shall apply. In
13 accordance with 49 C.F.R. 384, the Secretary of State may not
14 issue a restricted driving permit for the operation of a
15 commercial motor vehicle to a person holding a CDL whose
16 driving privileges have been suspended, revoked, cancelled, or
17 disqualified.

18 (f) (Blank).

19 (g) For the purposes of this Section, a personal injury
20 shall include any type A injury as indicated on the traffic
21 accident report completed by a law enforcement officer that
22 requires immediate professional attention in either a doctor's
23 office or a medical facility. A type A injury shall include
24 severely bleeding wounds, distorted extremities, and injuries
25 that require the injured party to be carried from the scene.

26 (Source: P.A. 96-1344, eff. 7-1-11; 97-450, eff. 8-19-11;

1 97-835, eff. 7-20-12.)

2 (625 ILCS 5/11-501.8)

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

5 (a) A person who is less than 21 years of age and who
6 drives or is in actual physical control of a motor vehicle upon
7 the public highways of this State shall be deemed to have given
8 consent to a chemical test or tests of blood, breath, saliva,
9 or urine for the purpose of determining the alcohol content of
10 the person's blood if arrested, as evidenced by the issuance of
11 a Uniform Traffic Ticket for any violation of the Illinois
12 Vehicle Code or a similar provision of a local ordinance, if a
13 police officer has probable cause to believe that the driver
14 has consumed any amount of an alcoholic beverage based upon
15 evidence of the driver's physical condition or other first hand
16 knowledge of the police officer. The test or tests shall be
17 administered at the direction of the arresting officer. The law
18 enforcement agency employing the officer shall designate which
19 of the aforesaid tests shall be administered. A saliva or urine
20 test may be administered even after a blood or breath test or
21 both has been administered.

22 (b) A person who is dead, unconscious, or who is otherwise
23 in a condition rendering that person incapable of refusal,
24 shall be deemed not to have withdrawn the consent provided by
25 paragraph (a) of this Section and the test or tests may be

1 administered subject to the following provisions:

2 (i) Chemical analysis of the person's blood, urine,
3 breath, saliva, or other bodily substance, to be considered
4 valid under the provisions of this Section, shall have been
5 performed according to standards promulgated by the
6 Department of State Police by an individual possessing a
7 valid permit issued by that Department for this purpose.
8 The Director of State Police is authorized to approve
9 satisfactory techniques or methods, to ascertain the
10 qualifications and competence of individuals to conduct
11 analyses, to issue permits that shall be subject to
12 termination or revocation at the direction of that
13 Department, and to certify the accuracy of breath testing
14 equipment. The Department of State Police shall prescribe
15 regulations as necessary.

16 (ii) When a person submits to a blood test at the
17 request of a law enforcement officer under the provisions
18 of this Section, only a physician authorized to practice
19 medicine, a licensed physician assistant, a licensed
20 advanced practice nurse, a registered nurse, or other
21 qualified person trained in venipuncture and acting under
22 the direction of a licensed physician may withdraw blood
23 for the purpose of determining the alcohol content therein.
24 This limitation does not apply to the taking of breath,
25 saliva, or urine specimens.

26 (iii) The person tested may have a physician, qualified

1 technician, chemist, registered nurse, or other qualified
2 person of his or her own choosing administer a chemical
3 test or tests in addition to any test or tests administered
4 at the direction of a law enforcement officer. The failure
5 or inability to obtain an additional test by a person shall
6 not preclude the consideration of the previously performed
7 chemical test.

8 (iv) Upon a request of the person who submits to a
9 chemical test or tests at the request of a law enforcement
10 officer, full information concerning the test or tests
11 shall be made available to the person or that person's
12 attorney.

13 (v) Alcohol concentration means either grams of
14 alcohol per 100 milliliters of blood or grams of alcohol
15 per 210 liters of breath.

16 (vi) If a driver is receiving medical treatment as a
17 result of a motor vehicle accident, a physician licensed to
18 practice medicine, licensed physician assistant, licensed
19 advanced practice nurse, registered nurse, or other
20 qualified person trained in venipuncture and acting under
21 the direction of a licensed physician shall withdraw blood
22 for testing purposes to ascertain the presence of alcohol
23 upon the specific request of a law enforcement officer.
24 However, that testing shall not be performed until, in the
25 opinion of the medical personnel on scene, the withdrawal
26 can be made without interfering with or endangering the

1 well-being of the patient.

2 (c) A person requested to submit to a test as provided
3 above shall be warned by the law enforcement officer requesting
4 the test that a refusal to submit to the test, or submission to
5 the test resulting in an alcohol concentration of more than
6 0.00, may result in the loss of that person's privilege to
7 operate a motor vehicle and may result in the disqualification
8 of the person's privilege to operate a commercial motor
9 vehicle, as provided in Section 6-514 of this Code, if the
10 person is a CDL holder. The loss of driving privileges shall be
11 imposed in accordance with Section 6-208.2 of this Code.

12 (d) If the person refuses testing or submits to a test that
13 discloses an alcohol concentration of more than 0.00, the law
14 enforcement officer shall immediately submit a sworn report to
15 the Secretary of State on a form prescribed by the Secretary of
16 State, certifying that the test or tests were requested under
17 subsection (a) and the person refused to submit to a test or
18 tests or submitted to testing which disclosed an alcohol
19 concentration of more than 0.00. The law enforcement officer
20 shall submit the same sworn report when a person under the age
21 of 21 submits to testing under Section 11-501.1 of this Code
22 and the testing discloses an alcohol concentration of more than
23 0.00 and less than 0.08.

24 Upon receipt of the sworn report of a law enforcement
25 officer, the Secretary of State shall enter the suspension and
26 disqualification on the individual's driving record and the

1 suspension and disqualification shall be effective on the 46th
2 day following the date notice of the suspension was given to
3 the person. If this suspension is the individual's first
4 driver's license suspension under this Section, reports
5 received by the Secretary of State under this Section shall,
6 except during the time the suspension is in effect, be
7 privileged information and for use only by the courts, police
8 officers, prosecuting authorities, the Secretary of State, or
9 the individual personally, unless the person is a CDL holder,
10 is operating a commercial motor vehicle or vehicle required to
11 be placarded for hazardous materials, in which case the
12 suspension shall not be privileged. Reports received by the
13 Secretary of State under this Section shall also be made
14 available to the parent or guardian of a person under the age
15 of 18 years that holds an instruction permit or a graduated
16 driver's license, regardless of whether the suspension is in
17 effect.

18 The law enforcement officer submitting the sworn report
19 shall serve immediate notice of this suspension on the person
20 and the suspension and disqualification shall be effective on
21 the 46th day following the date notice was given.

22 In cases where the blood alcohol concentration of more than
23 0.00 is established by a subsequent analysis of blood, saliva,
24 or urine, the police officer or arresting agency shall give
25 notice as provided in this Section or by deposit in the United
26 States mail of that notice in an envelope with postage prepaid

1 and addressed to that person at his last known address and the
2 loss of driving privileges shall be effective on the 46th day
3 following the date notice was given.

4 Upon receipt of the sworn report of a law enforcement
5 officer, the Secretary of State shall also give notice of the
6 suspension and disqualification to the driver by mailing a
7 notice of the effective date of the suspension and
8 disqualification to the individual. However, should the sworn
9 report be defective by not containing sufficient information or
10 be completed in error, the notice of the suspension and
11 disqualification shall not be mailed to the person or entered
12 to the driving record, but rather the sworn report shall be
13 returned to the issuing law enforcement agency.

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

1 issues of:

2 (1) whether the police officer had probable cause to
3 believe that the person was driving or in actual physical
4 control of a motor vehicle upon the public highways of the
5 State and the police officer had reason to believe that the
6 person was in violation of any provision of the Illinois
7 Vehicle Code or a similar provision of a local ordinance;
8 and

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

12 (3) whether the police officer had probable cause to
13 believe that the driver had consumed any amount of an
14 alcoholic beverage based upon the driver's physical
15 actions or other first-hand knowledge of the police
16 officer; and

17 (4) whether the person, after being advised by the
18 officer that the privilege to operate a motor vehicle would
19 be suspended if the person refused to submit to and
20 complete the test or tests, did refuse to submit to or
21 complete the test or tests to determine the person's
22 alcohol concentration; and

23 (5) whether the person, after being advised by the
24 officer that the privileges to operate a motor vehicle
25 would be suspended if the person submits to a chemical test
26 or tests and the test or tests disclose an alcohol

1 concentration of more than 0.00, did submit to and complete
2 the test or tests that determined an alcohol concentration
3 of more than 0.00; and

4 (6) whether the test result of an alcohol concentration
5 of more than 0.00 was based upon the person's consumption
6 of alcohol in the performance of a religious service or
7 ceremony; and

8 (7) whether the test result of an alcohol concentration
9 of more than 0.00 was based upon the person's consumption
10 of alcohol through ingestion of the prescribed or
11 recommended dosage of medicine.

12 At the conclusion of the hearing held under Section 2-118
13 of this Code, the Secretary of State may rescind, continue, or
14 modify the suspension and disqualification. If the Secretary of
15 State does not rescind the suspension and disqualification, a
16 restricted driving permit may be granted by the Secretary of
17 State upon application being made and good cause shown. A
18 restricted driving permit may be granted to relieve undue
19 hardship by allowing driving for employment, educational, and
20 medical purposes as outlined in item (3) of part (c) of Section
21 6-206 of this Code. The provisions of item (3) of part (c) of
22 Section 6-206 of this Code and of subsection (f) of that
23 Section shall apply. The Secretary of State shall promulgate
24 rules providing for participation in an alcohol education and
25 awareness program or activity, a drug education and awareness
26 program or activity, or both as a condition to the issuance of

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

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

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

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

1 (Source: P.A. 96-1080, eff. 7-16-10; 96-1344, eff. 7-1-11;
2 97-333, eff. 8-12-11; 97-450, eff. 8-19-11.)

3 (625 ILCS 5/11-507)

4 Sec. 11-507. Supervising a minor driver while under the
5 influence of alcohol, other drug or drugs, intoxicating
6 compound or compounds or any combination thereof.

7 (a) A person shall not accompany or provide instruction,
8 pursuant to subsection (a) of Section 6-107.1 of this Code, to
9 a driver who is a minor and driving a motor vehicle pursuant to
10 an instruction permit under Section 6-107.1 of this Code,
11 while:

12 (1) the alcohol concentration in the person's blood, l
13 saliva, or breath is 0.08 or more based on the definition
14 of blood and breath units in Section 11-501.2 of this Code;

15 (2) under the influence of alcohol;

16 (3) under the influence of any intoxicating compound or
17 combination of intoxicating compounds to a degree that
18 renders the person incapable of properly supervising or
19 providing instruction to the minor driver;

20 (4) under the influence of any other drug or
21 combination of drugs to a degree that renders the person
22 incapable of properly supervising or providing instruction
23 to the minor driver;

24 (5) under the combined influence of alcohol, other drug
25 or drugs, or intoxicating compound or compounds to a degree

1 that renders the person incapable of properly supervising
2 or providing instruction to the minor driver; or

3 (6) there is any amount of a drug, substance, or
4 compound in the person's breath, blood, saliva, or urine
5 resulting from the unlawful use or consumption of cannabis
6 listed in the Cannabis Control Act, a controlled substance
7 listed in the Illinois Controlled Substances Act, an
8 intoxicating compound listed in the Use of Intoxicating
9 Compounds Act, or methamphetamine as listed in the
10 Methamphetamine Control and Community Protection Act.

11 (b) A person found guilty of violating this Section is
12 guilty of an offense against the regulations governing the
13 movement of vehicles.

14 (Source: P.A. 96-1237, eff. 1-1-11.)

15 Section 10. The Code of Criminal Procedure of 1963 is
16 amended by changing Section 115-15 as follows:

17 (725 ILCS 5/115-15)

18 Sec. 115-15. Laboratory reports.

19 (a) In any criminal prosecution for a violation of the
20 Cannabis Control Act, the Illinois Controlled Substances Act,
21 or the Methamphetamine Control and Community Protection Act, a
22 laboratory report from the Department of State Police, Division
23 of Forensic Services, that is signed and sworn to by the person
24 performing an analysis and that states (1) that the substance

1 that is the basis of the alleged violation has been weighed and
2 analyzed, and (2) the person's findings as to the contents,
3 weight and identity of the substance, and (3) that it contains
4 any amount of a controlled substance or cannabis is prima facie
5 evidence of the contents, identity and weight of the substance.
6 Attached to the report shall be a copy of a notarized statement
7 by the signer of the report giving the name of the signer and
8 stating (i) that he or she is an employee of the Department of
9 State Police, Division of Forensic Services, (ii) the name and
10 location of the laboratory where the analysis was performed,
11 (iii) that performing the analysis is a part of his or her
12 regular duties, and (iv) that the signer is qualified by
13 education, training and experience to perform the analysis. The
14 signer shall also allege that scientifically accepted tests
15 were performed with due caution and that the evidence was
16 handled in accordance with established and accepted procedures
17 while in the custody of the laboratory.

18 (a-5) In any criminal prosecution for reckless homicide
19 under Section 9-3 of the Criminal Code of 1961 or the Criminal
20 Code of 2012, or driving under the influence of alcohol, other
21 drug, or combination of both, in violation of Section 11-501 of
22 the Illinois Vehicle Code or in any civil action held under a
23 statutory summary suspension or revocation hearing under
24 Section 2-118.1 of the Illinois Vehicle Code, a laboratory
25 report from the Department of State Police, Division of
26 Forensic Services, that is signed and sworn to by the person

1 performing an analysis, and that states that the sample of
2 blood, saliva, or urine was tested for alcohol or drugs, and
3 contains the person's findings as to the presence and amount of
4 alcohol or drugs and type of drug is prima facie evidence of
5 the presence, content, and amount of the alcohol or drugs
6 analyzed in the blood, saliva, or urine. Attached to the report
7 must be a copy of a notarized statement by the signer of the
8 report giving the name of the signer and stating (1) that he or
9 she is an employee of the Department of State Police, Division
10 of Forensic Services, (2) the name and location of the
11 laboratory where the analysis was performed, (3) that
12 performing the analysis is a part of his or her regular duties,
13 (4) that the signer is qualified by education, training, and
14 experience to perform the analysis, and (5) that scientifically
15 accepted tests were performed with due caution and that the
16 evidence was handled in accordance with established and
17 accepted procedures while in the custody of the laboratory.

18 (b) The State's Attorney shall serve a copy of the report
19 on the attorney of record for the accused, or on the accused if
20 he or she has no attorney, before any proceeding in which the
21 report is to be used against the accused other than at a
22 preliminary hearing or grand jury hearing when the report may
23 be used without having been previously served upon the accused.

24 (c) The report shall not be prima facie evidence if the
25 accused or his or her attorney demands the testimony of the
26 person signing the report by serving the demand upon the

1 State's Attorney within 7 days from the accused or his or her
2 attorney's receipt of the report.

3 (Source: P.A. 96-1344, eff. 7-1-11; 97-1150, eff. 1-25-13.)

4 Section 15. The Unified Code of Corrections is amended by
5 changing Section 5-9-1.9 as follows:

6 (730 ILCS 5/5-9-1.9)

7 Sec. 5-9-1.9. DUI analysis fee.

8 (a) "Crime laboratory" means a not-for-profit laboratory
9 substantially funded by a single unit or combination of units
10 of local government or the State of Illinois that regularly
11 employs at least one person engaged in the DUI analysis of
12 blood, saliva, and urine for criminal justice agencies in
13 criminal matters and provides testimony with respect to such
14 examinations.

15 "DUI analysis" means an analysis of blood, saliva, or urine
16 for purposes of determining whether a violation of Section
17 11-501 of the Illinois Vehicle Code has occurred.

18 (b) When a person has been adjudged guilty of an offense in
19 violation of Section 11-501 of the Illinois Vehicle Code, in
20 addition to any other disposition, penalty, or fine imposed, a
21 crime laboratory DUI analysis fee of \$150 for each offense for
22 which the person was convicted shall be levied by the court for
23 each case in which a laboratory analysis occurred. Upon
24 verified petition of the person, the court may suspend payment

1 of all or part of the fee if it finds that the person does not
2 have the ability to pay the fee.

3 (c) In addition to any other disposition made under the
4 provisions of the Juvenile Court Act of 1987, any minor
5 adjudicated delinquent for an offense which if committed by an
6 adult would constitute a violation of Section 11-501 of the
7 Illinois Vehicle Code shall be assessed a crime laboratory DUI
8 analysis fee of \$150 for each adjudication. Upon verified
9 petition of the minor, the court may suspend payment of all or
10 part of the fee if it finds that the minor does not have the
11 ability to pay the fee. The parent, guardian, or legal
12 custodian of the minor may pay some or all of the fee on the
13 minor's behalf.

14 (d) All crime laboratory DUI analysis fees provided for by
15 this Section shall be collected by the clerk of the court and
16 forwarded to the appropriate crime laboratory DUI fund as
17 provided in subsection (f).

18 (e) Crime laboratory funds shall be established as follows:

19 (1) A unit of local government that maintains a crime
20 laboratory may establish a crime laboratory DUI fund within
21 the office of the county or municipal treasurer.

22 (2) Any combination of units of local government that
23 maintains a crime laboratory may establish a crime
24 laboratory DUI fund within the office of the treasurer of
25 the county where the crime laboratory is situated.

26 (3) The State Police DUI Fund is created as a special

1 fund in the State Treasury.

2 (f) The analysis fee provided for in subsections (b) and
3 (c) of this Section shall be forwarded to the office of the
4 treasurer of the unit of local government that performed the
5 analysis if that unit of local government has established a
6 crime laboratory DUI fund, or to the State Treasurer for
7 deposit into the State Police DUI Fund if the analysis was
8 performed by a laboratory operated by the Department of State
9 Police. If the analysis was performed by a crime laboratory
10 funded by a combination of units of local government, the
11 analysis fee shall be forwarded to the treasurer of the county
12 where the crime laboratory is situated if a crime laboratory
13 DUI fund has been established in that county. If the unit of
14 local government or combination of units of local government
15 has not established a crime laboratory DUI fund, then the
16 analysis fee shall be forwarded to the State Treasurer for
17 deposit into the State Police DUI Fund. The clerk of the
18 circuit court may retain the amount of \$10 from each collected
19 analysis fee to offset administrative costs incurred in
20 carrying out the clerk's responsibilities under this Section.

21 (g) Fees deposited into a crime laboratory DUI fund created
22 under paragraphs (1) and (2) of subsection (e) of this Section
23 shall be in addition to any allocations made pursuant to
24 existing law and shall be designated for the exclusive use of
25 the crime laboratory. These uses may include, but are not
26 limited to, the following:

1 (1) Costs incurred in providing analysis for DUI
2 investigations conducted within this State.

3 (2) Purchase and maintenance of equipment for use in
4 performing analyses.

5 (3) Continuing education, training, and professional
6 development of forensic scientists regularly employed by
7 these laboratories.

8 (h) Fees deposited in the State Police DUI Fund created
9 under paragraph (3) of subsection (e) of this Section shall be
10 used by State crime laboratories as designated by the Director
11 of State Police. These funds shall be in addition to any
12 allocations made according to existing law and shall be
13 designated for the exclusive use of State crime laboratories.
14 These uses may include those enumerated in subsection (g) of
15 this Section.

16 (Source: P.A. 91-822, eff. 6-13-00.)

17 Section 95. No acceleration or delay. Where this Act makes
18 changes in a statute that is represented in this Act by text
19 that is not yet or no longer in effect (for example, a Section
20 represented by multiple versions), the use of that text does
21 not accelerate or delay the taking effect of (i) the changes
22 made by this Act or (ii) provisions derived from any other
23 Public Act.