

AN ACT concerning State Government.

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

Section 5. The Secretary of State Act is amended by changing Section 37 as follows:

(15 ILCS 305/37)

Sec. 37. Study on age-related changes that affect driving abilities. By October 1, 2023, the Secretary of State shall conduct a study on age-related changes in vision, physical functioning, and the ability to reason and remember, as well as any other diseases and medications that might affect safe driving abilities. When conducting the study, the Secretary of State may utilize data or academic studies conducted by other sources, including, but not limited to, other states, the Centers for Disease Control and Prevention, the American Geriatrics Society, and the National Highway Traffic Safety Administration. Upon completion of the study, if the study shows that there is no immediate risk to public safety, the Secretary of State may adopt administrative rules to raise ~~or lower~~ the age requirement for actual demonstrations, provided that the required age shall be no lower than the minimum age required under subsection (c) of Section 6-109 of the Illinois Vehicle Code.

(Source: P.A. 102-1103, eff. 12-6-22.)

Section 10. The Illinois Vehicle Code is amended by changing Section 6-109 as follows:

(625 ILCS 5/6-109)

Sec. 6-109. Examination of applicants.

(a) The Secretary of State shall examine every applicant for a driver's license or permit who has not been previously licensed as a driver under the laws of this State or any other state or country, or any applicant for renewal of such driver's license or permit when such license or permit has been expired for more than one year. The Secretary of State shall, subject to the provisions of paragraph (c), examine every licensed driver at least every 8 years, and may examine or re-examine any other applicant or licensed driver, provided that during the years 1984 through 1991 those drivers issued a license for 3 years may be re-examined not less than every 7 years or more than every 10 years.

The Secretary of State shall require the testing of the eyesight of any driver's license or permit applicant who has not been previously licensed as a driver under the laws of this State and shall promulgate rules and regulations to provide for the orderly administration of all the provisions of this Section.

The Secretary of State shall include at least one test

question that concerns the provisions of the Pedestrians with Disabilities Safety Act in the question pool used for the written portion of the driver's license examination within one year after July 22, 2010 (the effective date of Public Act 96-1167).

The Secretary of State shall include, in the question pool used for the written portion of the driver's license examination, test questions concerning safe driving in the presence of bicycles, of which one may be concerning the Dutch Reach method as described in Section 2-112.

The Secretary of State shall include, in the question pool used for the written portion of the driver's license examination, at least one test question concerning driver responsibilities when approaching a stationary emergency vehicle as described in Section 11-907.

(b) Except as provided for those applicants in paragraph (c), such examination shall include a test of the applicant's eyesight, his or her ability to read and understand official traffic control devices, his or her knowledge of safe driving practices and the traffic laws of this State, and may include an actual demonstration of the applicant's ability to exercise ordinary and reasonable control of the operation of a motor vehicle, and such further physical and mental examination as the Secretary of State finds necessary to determine the applicant's fitness to operate a motor vehicle safely on the highways, except the examination of an applicant 75 years of

age or older or, if the Secretary adopts rules under Section 37 of the Secretary of State Act to raise the age requirement for actual demonstrations, the examination of an applicant who has attained that increased age or is older shall include an actual demonstration of the applicant's ability to exercise ordinary and reasonable control of the operation of a motor vehicle. All portions of written and verbal examinations under this Section, excepting where the English language appears on facsimiles of road signs, may be given in the Spanish language and, at the discretion of the Secretary of State, in any other language as well as in English upon request of the examinee. Deaf persons who are otherwise qualified are not prohibited from being issued a license, other than a commercial driver's license, under this Code.

(c) Re-examination for those applicants who at the time of renewing their driver's license possess a driving record devoid of any convictions of traffic violations or evidence of committing an offense for which mandatory revocation would be required upon conviction pursuant to Section 6-205 at the time of renewal shall be in a manner prescribed by the Secretary in order to determine an applicant's ability to safely operate a motor vehicle, except that every applicant for the renewal of a driver's license who is 75 years of age or older or, if the Secretary adopts rules under Section 37 of the Secretary of State Act to raise the age requirement for actual demonstrations, every applicant for the renewal of a driver's

license who has attained that increased age or is older must prove, by an actual demonstration, the applicant's ability to exercise reasonable care in the safe operation of a motor vehicle.

(d) In the event the applicant is not ineligible under the provisions of Section 6-103 to receive a driver's license, the Secretary of State shall make provision for giving an examination, either in the county where the applicant resides or at a place adjacent thereto reasonably convenient to the applicant, within not more than 30 days from the date said application is received.

(e) The Secretary of State may adopt rules regarding the use of foreign language interpreters during the application and examination process.

(Source: P.A. 100-770, eff. 1-1-19; 100-962, eff. 1-1-19; 101-81, eff. 7-12-19; 101-174, eff. 1-1-20.)

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