



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4711

Introduced 2/6/2024, by Rep. Dan Swanson

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-109

Amends the Illinois Vehicle Code. Provides that an incorrect response to a question on the written portion of the driver's license examination concerning driver responsibilities when approaching a stationary emergency vehicle shall be deemed an automatic failure of the written portion of the driver's license examination. Provides that the Secretary of State shall allow an applicant to retake the written portion of the driver's license examination the same day if the reason for failing was due to selecting an incorrect response relating to such a question.

LRB103 36600 MXP 66709 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
5 changing Section 6-109 as follows:

6 (625 ILCS 5/6-109)

7 Sec. 6-109. Examination of applicants.

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

20 The Secretary of State shall require the testing of the
21 eyesight of any driver's license or permit applicant who has
22 not been previously licensed as a driver under the laws of this
23 State and shall promulgate rules and regulations to provide

1 for the orderly administration of all the provisions of this
2 Section.

3 The Secretary of State shall include at least one test
4 question that concerns the provisions of the Pedestrians with
5 Disabilities Safety Act in the question pool used for the
6 written portion of the driver's license examination within one
7 year after July 22, 2010 (the effective date of Public Act
8 96-1167).

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

14 The Secretary of State shall include, in the question pool
15 used for the written portion of the driver's license
16 examination, at least one test question concerning driver
17 responsibilities when approaching a stationary emergency
18 vehicle as described in Section 11-907. An incorrect response
19 to a question required by this paragraph shall be deemed an
20 automatic failure of the written portion of the driver's
21 license examination. The Secretary shall allow an applicant to
22 retake the written portion of the driver's license examination
23 the same day if the reason for failing was due to selecting an
24 incorrect response relating to such a question.

25 (b) Except as provided for those applicants in paragraph
26 (c), such examination shall include a test of the applicant's

1 eyesight, his or her ability to read and understand official
2 traffic control devices, his or her knowledge of safe driving
3 practices and the traffic laws of this State, and may include
4 an actual demonstration of the applicant's ability to exercise
5 ordinary and reasonable control of the operation of a motor
6 vehicle, and such further physical and mental examination as
7 the Secretary of State finds necessary to determine the
8 applicant's fitness to operate a motor vehicle safely on the
9 highways, except the examination of an applicant 75 years of
10 age or older or, if the Secretary adopts rules under Section 37
11 of the Secretary of State Act to raise the age requirement for
12 actual demonstrations, the examination of an applicant who has
13 attained that increased age or is older shall include an
14 actual demonstration of the applicant's ability to exercise
15 ordinary and reasonable control of the operation of a motor
16 vehicle. All portions of written and verbal examinations under
17 this Section, excepting where the English language appears on
18 facsimiles of road signs, may be given in the Spanish language
19 and, at the discretion of the Secretary of State, in any other
20 language as well as in English upon request of the examinee.
21 Deaf persons who are otherwise qualified are not prohibited
22 from being issued a license, other than a commercial driver's
23 license, under this Code.

24 (c) Re-examination for those applicants who at the time of
25 renewing their driver's license possess a driving record
26 devoid of any convictions of traffic violations or evidence of

1 committing an offense for which mandatory revocation would be
2 required upon conviction pursuant to Section 6-205 at the time
3 of renewal shall be in a manner prescribed by the Secretary in
4 order to determine an applicant's ability to safely operate a
5 motor vehicle, except that every applicant for the renewal of
6 a driver's license who is 75 years of age or older or, if the
7 Secretary adopts rules under Section 37 of the Secretary of
8 State Act to raise the age requirement for actual
9 demonstrations, every applicant for the renewal of a driver's
10 license who has attained that increased age or is older must
11 prove, by an actual demonstration, the applicant's ability to
12 exercise reasonable care in the safe operation of a motor
13 vehicle.

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

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

24 (Source: P.A. 103-140, eff. 6-30-23.)