

SB2076



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2076

Introduced 2/6/2025, by Sen. Li Arellano, Jr.

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-107

Amends the Illinois Vehicle Code. In provisions concerning the prohibition of a graduated driver's license holder under the age of 18 from operating a motor vehicle with more than one passenger in the vehicle who is under the age of 20, unless any additional passenger or passengers are siblings, step-siblings, children, or stepchildren of the driver, provides that, if a graduated driver's license holder is convicted of a moving violation due to having more than one passenger in the license holder's vehicle who is under the age of 20, the graduated license shall be suspended for one month.

LRB104 09136 LNS 19192 b

A BILL FOR

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 6-107 as follows:

6 (625 ILCS 5/6-107)

7 Sec. 6-107. Graduated license.

8 (a) The purpose of the Graduated Licensing Program is to
9 develop safe and mature driving habits in young, inexperienced
10 drivers and reduce or prevent motor vehicle crashes,
11 fatalities, and injuries by:

12 (1) providing for an increase in the time of practice
13 period before granting permission to obtain a driver's
14 license;

15 (2) strengthening driver licensing and testing
16 standards for persons under the age of 21 years;

17 (3) sanctioning driving privileges of drivers under
18 age 21 who have committed serious traffic violations or
19 other specified offenses; and

20 (4) setting stricter standards to promote the public's
21 health and safety.

22 (b) The application of any person under the age of 18
23 years, and not legally emancipated, for a driver's license or

1 permit to operate a motor vehicle issued under the laws of this
2 State, shall be accompanied by the written consent of either
3 parent of the applicant; otherwise by the guardian having
4 custody of the applicant, or in the event there is no parent or
5 guardian, then by another responsible adult. The written
6 consent must accompany any application for a driver's license
7 under this subsection (b), regardless of whether or not the
8 required written consent also accompanied the person's
9 previous application for an instruction permit.

10 No graduated driver's license shall be issued to any
11 applicant under 18 years of age, unless the applicant is at
12 least 16 years of age and has:

13 (1) Held a valid instruction permit for a minimum of 9
14 months.

15 (2) Passed an approved driver education course and
16 submits proof of having passed the course as may be
17 required.

18 (3) Certification by the parent, legal guardian, or
19 responsible adult that the applicant has had a minimum of
20 50 hours of behind-the-wheel practice time, at least 10
21 hours of which have been at night, and is sufficiently
22 prepared and able to safely operate a motor vehicle.

23 (b-1) No graduated driver's license shall be issued to any
24 applicant who is under 18 years of age and not legally
25 emancipated, unless the applicant has graduated from a
26 secondary school of this State or any other state, is enrolled

1 in a course leading to a State of Illinois High School Diploma,
2 has obtained a State of Illinois High School Diploma, is
3 enrolled in an elementary or secondary school or college or
4 university of this State or any other state and is not a
5 chronic or habitual truant as provided in Section 26-2a of the
6 School Code, or is receiving home instruction and submits
7 proof of meeting any of those requirements at the time of
8 application.

9 An applicant under 18 years of age who provides proof
10 acceptable to the Secretary that the applicant has resumed
11 regular school attendance or home instruction or that his or
12 her application was denied in error shall be eligible to
13 receive a graduated license if other requirements are met. The
14 Secretary shall adopt rules for implementing this subsection
15 (b-1).

16 (c) No graduated driver's license or permit shall be
17 issued to any applicant under 18 years of age who has committed
18 the offense of operating a motor vehicle without a valid
19 license or permit in violation of Section 6-101 of this Code or
20 a similar out of state offense and no graduated driver's
21 license or permit shall be issued to any applicant under 18
22 years of age who has committed an offense that would otherwise
23 result in a mandatory revocation of a license or permit as
24 provided in Section 6-205 of this Code or who has been either
25 convicted of or adjudicated a delinquent based upon a
26 violation of the Cannabis Control Act, the Illinois Controlled

1 Substances Act, the Use of Intoxicating Compounds Act, or the
2 Methamphetamine Control and Community Protection Act while
3 that individual was in actual physical control of a motor
4 vehicle. For purposes of this Section, any person placed on
5 probation under Section 10 of the Cannabis Control Act,
6 Section 410 of the Illinois Controlled Substances Act, or
7 Section 70 of the Methamphetamine Control and Community
8 Protection Act shall not be considered convicted. Any person
9 found guilty of such an offense, while in actual physical
10 control of a motor vehicle, shall have an entry made in the
11 court record by the judge that the offense did occur while the
12 person was in actual physical control of a motor vehicle and
13 order the clerk of the court to report the violation to the
14 Secretary of State as such.

15 (d) No graduated driver's license shall be issued for 9
16 months to any applicant under the age of 18 years who has
17 committed and subsequently been convicted of an offense
18 against traffic regulations governing the movement of
19 vehicles, any violation of this Section or Section 12-603.1 of
20 this Code, or who has received a disposition of court
21 supervision for a violation of Section 6-20 of the Illinois
22 Liquor Control Act of 1934 or a similar provision of a local
23 ordinance.

24 (e) No graduated driver's license holder under the age of
25 18 years shall operate any motor vehicle, except a motor
26 driven cycle or motorcycle, with more than one passenger in

1 the front seat of the motor vehicle and no more passengers in
2 the back seats than the number of available seat safety belts
3 as set forth in Section 12-603 of this Code. If a graduated
4 driver's license holder over the age of 18 committed an
5 offense against traffic regulations governing the movement of
6 vehicles or any violation of this Section or Section 12-603.1
7 of this Code in the 6 months prior to the graduated driver's
8 license holder's 18th birthday, and was subsequently convicted
9 of the violation, the provisions of this paragraph shall
10 continue to apply until such time as a period of 6 consecutive
11 months has elapsed without an additional violation and
12 subsequent conviction of an offense against traffic
13 regulations governing the movement of vehicles or any
14 violation of this Section or Section 12-603.1 of this Code.

15 (f) (Blank).

16 (g) If a graduated driver's license holder is under the
17 age of 18 when he or she receives the license, for the first 12
18 months he or she holds the license or until he or she reaches
19 the age of 18, whichever occurs sooner, the graduated license
20 holder may not operate a motor vehicle with more than one
21 passenger in the vehicle who is under the age of 20, unless any
22 additional passenger or passengers are siblings,
23 step-siblings, children, or stepchildren of the driver. If a
24 graduated driver's license holder is convicted of a moving
25 violation due to having more than one passenger in the license
26 holder's vehicle who is under the age of 20, the graduated

1 license shall be suspended for one month. If a graduated
2 driver's license holder committed an offense against traffic
3 regulations governing the movement of vehicles or any
4 violation of this Section or Section 12-603.1 of this Code
5 during the first 12 months the license is held and
6 subsequently is convicted of the violation, the provisions of
7 this paragraph shall remain in effect until such time as a
8 period of 6 consecutive months has elapsed without an
9 additional violation and subsequent conviction of an offense
10 against traffic regulations governing the movement of vehicles
11 or any violation of this Section or Section 12-603.1 of this
12 Code.

13 (h) It shall be an offense for a person that is age 15, but
14 under age 20, to be a passenger in a vehicle operated by a
15 driver holding a graduated driver's license during the first
16 12 months the driver holds the license or until the driver
17 reaches the age of 18, whichever occurs sooner, if another
18 passenger under the age of 20 is present, excluding a sibling,
19 step-sibling, child, or step-child of the driver.

20 (i) No graduated driver's license shall be issued to any
21 applicant under the age of 18 years if the applicant has been
22 issued a traffic citation for which a disposition has not been
23 rendered at the time of application.

24 (Source: P.A. 102-982, eff. 7-1-23; 102-1100, eff. 1-1-23;
25 103-154, eff. 6-30-23.)