

1 AN ACT regarding vehicles.

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 Sections 2-118.1, 6-117, 6-118, 6-204, 6-206, and
6 6-208 as follows:

7 (625 ILCS 5/2-118.1) (from Ch. 95 1/2, par. 2-118.1)

8 Sec. 2-118.1. Opportunity for hearing; statutory summary
9 alcohol or other drug related suspension.

10 (a) A statutory summary suspension of driving privileges
11 under Section 11-501.1 shall not become effective until the
12 person is notified in writing of the impending suspension and
13 informed that he may request a hearing in the circuit court
14 of venue under paragraph (b) of this Section and the
15 statutory summary suspension shall become effective as
16 provided in Section 11-501.1.

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22 summary suspension rescinded.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

31 The hearing may be conducted upon a review of the law

1 enforcement officer's own official reports; provided however,
 2 that the person may subpoena the officer. Failure of the
 3 officer to answer the subpoena shall be considered grounds
 4 for a continuance if in the court's discretion the
 5 continuance is appropriate.

6 The scope of the hearing shall be limited to the issues
 7 of:

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

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

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

25 4. Whether the person, after being advised by the
 26 officer that the privilege to operate a motor vehicle
 27 would be suspended if the person submits to a chemical
 28 test, or tests, and the test discloses an alcohol
 29 concentration of 0.08 or more, or any amount of a drug,
 30 substance, or compound in the person's blood or urine
 31 resulting from the unlawful use or consumption of
 32 cannabis listed in the Cannabis Control Act, or a
 33 controlled substance listed in the Illinois Controlled
 34 Substances Act, or an intoxicating compound as listed in

1 the use of Intoxicating Compounds Act, and the person did
2 submit to and complete the test or tests that determined
3 an alcohol concentration of 0.08 or more.

4 Upon the conclusion of the judicial hearing, the circuit
5 court shall sustain or rescind the statutory summary
6 suspension and immediately notify the Secretary of State.
7 Reports received by the Secretary of State under this Section
8 shall be privileged information and for use only by the
9 courts, police officers, and Secretary of State.

10 (Source: P.A. 89-156, eff. 1-1-96; 90-43, eff. 7-2-97.)

11 (625 ILCS 5/6-117) (from Ch. 95 1/2, par. 6-117)

12 Sec. 6-117. Records to be kept by the Secretary of
13 State.

14 (a) The Secretary of State shall file every application
15 for a license or permit accepted under this Chapter, and
16 shall maintain suitable indexes thereof. The records of the
17 Secretary of State shall indicate the action taken with
18 respect to such applications.

19 (b) The Secretary of State shall maintain appropriate
20 records of all licenses and permits refused, cancelled,
21 revoked or suspended and of the revocation and suspension of
22 driving privileges of persons not licensed under this
23 Chapter, and such records shall note the reasons for such
24 action.

25 (c) The Secretary of State shall maintain appropriate
26 records of convictions reported under this Chapter. Records
27 of conviction may be maintained in a computer processible
28 medium.

29 (d) The Secretary of State may also maintain appropriate
30 records of any accident reports received.

31 (e) The Secretary of State shall also maintain
32 appropriate records of any disposition of supervision or
33 records relative to a driver's referral to a driver remedial

1 or rehabilitative program, as required by the Secretary of
2 State or the courts. Such records shall only be available
3 for use by the Secretary, law enforcement agencies, the
4 courts, and the affected driver or, upon proper verification,
5 such affected driver's attorney.

6 (f) The Secretary of State shall also maintain or
7 contract to maintain appropriate records of all photographs
8 and signatures obtained in the process of issuing any
9 driver's license, permit, or identification card. The record
10 shall be confidential and shall not be disclosed except to
11 those entities listed under Section 6-110.1 of this Code.

12 (Source: P.A. 90-191, eff. 1-1-98.)

13 (625 ILCS 5/6-118) (from Ch. 95 1/2, par. 6-118)

14 Sec. 6-118. Fees.

15 (a) The fee for licenses and permits under this Article
16 is as follows:

17	Original driver's license.....	\$10
18	Original or renewal driver's license	
19	issued to 18, 19 and 20 year olds.....	5
20	All driver's licenses for persons	
21	age 69 through age 80.....	5
22	All driver's licenses for persons	
23	age 81 through age 86.....	2
24	All driver's licenses for persons	
25	age 87 or older.....	0
26	Renewal driver's license (except for	
27	applicants ages 18, 19 and 20 or	
28	age 69 and older).....	10
29	Original instruction permit issued to	
30	persons (except those age 69 and older)	
31	who do not hold or have not previously	
32	held an Illinois instruction permit or	
33	driver's license.....	20

1 Instruction permit issued to any person
2 holding an Illinois driver's license
3 who wishes a change in classifications,
4 other than at the time of renewal.....5
5 Any instruction permit issued to a person
6 age 69 and older.....5
7 Instruction permit issued to any person,
8 under age 69, not currently holding a
9 valid Illinois driver's license or
10 instruction permit but who has
11 previously been issued either document
12 in Illinois.....10
13 Restricted driving permit.....8
14 Duplicate or corrected driver's license
15 or permit.....5
16 Duplicate or corrected restricted
17 driving permit.....5
18 Original or renewal M or L endorsement.....5

19 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

20 The fees for commercial driver licenses and permits
21 under Article V shall be as follows:

22 Commercial driver's license:
23 \$6 for the CDLIS/AAMVANet Fund
24 (Commercial Driver's License Information
25 System/American Association of Motor Vehicle
26 Administrators network Trust Fund);
27 \$20 for the Motor Carrier Safety Inspection Fund;
28 \$10 for the driver's license;
29 and \$24 for the CDL:.....\$60

30 Renewal commercial driver's license:
31 \$6 for the CDLIS/AAMVANet Trust Fund;
32 \$20 for the Motor Carrier Safety Inspection Fund;
33 \$10 for the driver's license; and
34 \$24 for the CDL:.....\$60

1 Commercial driver instruction permit
 2 issued to any person holding a valid
 3 Illinois driver's license for the
 4 purpose of changing to a
 5 CDL classification: \$6 for the
 6 CDLIS/AAMVAnet Trust Fund;
 7 \$20 for the Motor Carrier
 8 Safety Inspection Fund; and
 9 \$24 for the CDL classification.....\$50

10 Commercial driver instruction permit
 11 issued to any person holding a valid
 12 Illinois CDL for the purpose of
 13 making a change in a classification,
 14 endorsement or restriction.....\$5

15 CDL duplicate or corrected license.....\$5

16 In order to ensure the proper implementation of the
 17 Uniform Commercial Driver License Act, Article V of this
 18 Chapter, the Secretary of State is empowered to pro-rate the
 19 \$24 fee for the commercial driver's license proportionate to
 20 the expiration date of the applicant's Illinois driver's
 21 license.

22 The fee for any duplicate license or permit shall be
 23 waived for any person age 60 or older who presents the
 24 Secretary of State's office with a police report showing that
 25 his license or permit was stolen.

26 No additional fee shall be charged for a driver's
 27 license, or for a commercial driver's license, when issued to
 28 the holder of an instruction permit for the same
 29 classification or type of license who becomes eligible for
 30 such license.

31 (b) Any person whose license or privilege to operate a
 32 motor vehicle in this State has been suspended or revoked
 33 under any provision of Chapter 6, Chapter 11, or Section
 34 7-702 of the Family Financial Responsibility Law of this

1 Code, shall in addition to any other fees required by this
2 Code, pay a reinstatement fee as follows:

- 3 Summary suspension under Section 11-501.1.....\$60
- 4 Other suspension.....\$30
- 5 Revocation.....\$60

6 However, any person whose license or privilege to operate
7 a motor vehicle in this State has been suspended or revoked
8 for a second or subsequent time for a violation of Section
9 11-501 or 11-501.1 of this Code or a similar provision of a
10 local ordinance or a similar out-of-state offense or Section
11 9-3 of the Criminal Code of 1961 and each suspension or
12 revocation was for a violation of Section 11-501 or 11-501.1
13 of this Code or a similar provision of a local ordinance or a
14 similar out-of-state offense or Section 9-3 of the Criminal
15 Code of 1961 shall pay, in addition to any other fees
16 required by this Code, a reinstatement fee as follows:

- 17 Summary suspension under Section 11-501.1.....\$250
- 18 Revocation.....\$250

19 (c) All fees collected under the provisions of this
20 Chapter 6 shall be paid into the Road Fund in the State
21 Treasury except as follows:

22 1. The following amounts shall be paid into the
23 Driver Education Fund:

- 24 (A) \$16 of the \$20 fee for an original
25 driver's instruction permit;
- 26 (B) \$5 of the \$10 fee for an original driver's
27 license;
- 28 (C) \$5 of the \$10 fee for a 4 year renewal
29 driver's license; and
- 30 (D) \$4 of the \$8 fee for a restricted driving
31 permit.

32 2. \$30 of the \$60 fee for reinstatement of a license
33 summarily suspended under Section 11-501.1 shall be
34 deposited into the Drunk and Drugged Driving Prevention

1 Fund. However, for a person whose license or privilege
 2 to operate a motor vehicle in this State has been
 3 suspended or revoked for a second or subsequent time for
 4 a violation of Section 11-501 or 11-501.1 of this Code or
 5 Section 9-3 of the Criminal Code of 1961, \$190 of the
 6 \$250 fee for reinstatement of a license summarily
 7 suspended under Section 11-501.1, and \$190 of the \$250
 8 fee for reinstatement of a revoked license shall be
 9 deposited into the Drunk and Drugged Driving Prevention
 10 Fund.

11 3. \$6 of such original or renewal fee for a
 12 commercial driver's license and \$6 of the commercial
 13 driver instruction permit fee when such permit is issued
 14 to any person holding a valid Illinois driver's license,
 15 shall be paid into the CDLIS/AAMVAnet Trust Fund.

16 4. The fee for reinstatement of a license suspended
 17 under the Family Financial Responsibility Law shall be
 18 paid into the Family Responsibility Fund.

19 5. The \$5 fee for each original or renewal M or L
 20 endorsement shall be deposited into the Cycle Rider
 21 Safety Training Fund.

22 6. \$20 of any original or renewal fee for a
 23 commercial driver's license or commercial driver
 24 instruction permit shall be paid into the Motor Carrier
 25 Safety Inspection Fund.

26 (Source: P.A. 90-622, eff. 3-1-99; 90-738, eff. 1-1-99;
 27 91-357, eff. 7-29-99; 91-537, eff. 8-13-99.)

28 (625 ILCS 5/6-204) (from Ch. 95 1/2, par. 6-204)
 29 Sec. 6-204. When Court to forward License and Reports.

30 (a) For the purpose of providing to the Secretary of
 31 State the records essential to the performance of the
 32 Secretary's duties under this Code to cancel, revoke or
 33 suspend the driver's license and privilege to drive motor

1 vehicles of certain minors adjudicated truant minors in need
 2 of supervision, addicted, or delinquent and of persons found
 3 guilty of the criminal offenses or traffic violations which
 4 this Code recognizes as evidence relating to unfitness to
 5 safely operate motor vehicles, the following duties are
 6 imposed upon public officials:

7 (1) Whenever any person is convicted of any offense
 8 for which this Code makes mandatory the cancellation or
 9 revocation of the driver's license or permit of such
 10 person by the Secretary of State, the judge of the court
 11 in which such conviction is had shall require the
 12 surrender to the clerk of the court of all driver's
 13 licenses or permits then held by the person so convicted,
 14 and the clerk of the court shall, within 10 days
 15 thereafter, forward the same, together with a report of
 16 such conviction, to the Secretary.

17 (2) Whenever any person is convicted of any offense
 18 under this Code or similar offenses under a municipal
 19 ordinance, other than regulations governing standing,
 20 parking or weights of vehicles, and excepting the
 21 following enumerated Sections of this Code: Sections
 22 11-1406 (obstruction to driver's view or control),
 23 11-1407 (improper opening of door into traffic), 11-1410
 24 (coasting on downgrade), 11-1411 (following fire
 25 apparatus), 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101
 26 (driving vehicle which is in unsafe condition or
 27 improperly equipped), 12-201(a) (daytime lights on
 28 motorcycles), 12-202 (clearance, identification and side
 29 marker lamps), 12-204 (lamp or flag on projecting load),
 30 12-205 (failure to display the safety lights required),
 31 12-401 (restrictions as to tire equipment), 12-502
 32 (mirrors), 12-503 (windshields must be unobstructed and
 33 equipped with wipers), 12-601 (horns and warning
 34 devices), 12-602 (mufflers, prevention of noise or

1 smoke), 12-603 (seat safety belts), 12-702 (certain
2 vehicles to carry flares or other warning devices),
3 12-703 (vehicles for oiling roads operated on highways),
4 12-710 (splash guards and replacements), 13-101 (safety
5 tests), 15-101 (size, weight and load), 15-102 (width),
6 15-103 (height), 15-104 (name and address on second
7 division vehicles), 15-107 (length of vehicle), 15-109.1
8 (cover or tarpaulin), 15-111 (weights), 15-112 (weights),
9 15-301 (weights), 15-316 (weights), 15-318 (weights), and
10 also excepting the following enumerated Sections of the
11 Chicago Municipal Code: Sections 27-245 (following fire
12 apparatus), 27-254 (obstruction of traffic), 27-258
13 (driving vehicle which is in unsafe condition), 27-259
14 (coasting on downgrade), 27-264 (use of horns and signal
15 devices), 27-265 (obstruction to driver's view or driver
16 mechanism), 27-267 (dimming of headlights), 27-268
17 (unattended motor vehicle), 27-272 (illegal funeral
18 procession), 27-273 (funeral procession on boulevard),
19 27-275 (driving freight hauling vehicles on boulevard),
20 27-276 (stopping and standing of buses or taxicabs),
21 27-277 (cruising of public passenger vehicles), 27-305
22 (parallel parking), 27-306 (diagonal parking), 27-307
23 (parking not to obstruct traffic), 27-308 (stopping,
24 standing or parking regulated), 27-311 (parking
25 regulations), 27-312 (parking regulations), 27-313
26 (parking regulations), 27-314 (parking regulations),
27 27-315 (parking regulations), 27-316 (parking
28 regulations), 27-317 (parking regulations), 27-318
29 (parking regulations), 27-319 (parking regulations),
30 27-320 (parking regulations), 27-321 (parking
31 regulations), 27-322 (parking regulations), 27-324
32 (loading and unloading at an angle), 27-333 (wheel and
33 axle loads), 27-334 (load restrictions in the downtown
34 district), 27-335 (load restrictions in residential

1 areas), 27-338 (width of vehicles), 27-339 (height of
2 vehicles), 27-340 (length of vehicles), 27-352
3 (reflectors on trailers), 27-353 (mufflers), 27-354
4 (display of plates), 27-355 (display of city vehicle tax
5 sticker), 27-357 (identification of vehicles), 27-358
6 (projecting of loads), and also excepting the following
7 enumerated paragraphs of Section 2-201 of the Rules and
8 Regulations of the Illinois State Toll Highway Authority:
9 (l) (driving unsafe vehicle on tollway), (m) (vehicles
10 transporting dangerous cargo not properly indicated), it
11 shall be the duty of the clerk of the court in which such
12 conviction is had within 10 days thereafter to forward to
13 the Secretary of State a report of the conviction and the
14 court may recommend the suspension of the driver's
15 license or permit of the person so convicted.

16 The reporting requirements of this subsection shall apply
17 to all violations stated in paragraphs (1) and (2) of this
18 subsection when the individual has been adjudicated under the
19 Juvenile Court Act or the Juvenile Court Act of 1987. Such
20 reporting requirements shall also apply to individuals
21 adjudicated under the Juvenile Court Act or the Juvenile
22 Court Act of 1987 who have committed a violation of Section
23 11-501 of this Code, or similar provision of a local
24 ordinance, or Section 9-3 of the Criminal Code of 1961, as
25 amended, relating to the offense of reckless homicide. The
26 reporting requirements of this subsection shall also apply to
27 a truant minor in need of supervision, an addicted minor, or
28 a delinquent minor and whose driver's license and privilege
29 to drive a motor vehicle has been ordered suspended for such
30 times as determined by the Court, but only until he or she
31 attains 18 years of age. It shall be the duty of the clerk
32 of the court in which adjudication is had within 10 days
33 thereafter to forward to the Secretary of State a report of
34 the adjudication and the court order requiring the Secretary

1 of State to suspend the minor's driver's license and driving
2 privilege for such time as determined by the Court, but only
3 until he or she attains the age of 18 years. All juvenile
4 court dispositions reported to the Secretary of State under
5 this provision shall be processed by the Secretary of State
6 as if the cases had been adjudicated in traffic or criminal
7 court. However, information reported relative to the offense
8 of reckless homicide, or Section 11-501 of this Code, or a
9 similar provision of a local ordinance, shall be privileged
10 and available only to the Secretary of State, courts, and
11 police officers.

12 (3) Whenever an order is entered vacating the
13 forfeiture of any bail, security or bond given to secure
14 appearance for any offense under this Code or similar
15 offenses under municipal ordinance, it shall be the duty
16 of the clerk of the court in which such vacation was had
17 or the judge of such court if such court has no clerk,
18 within 10 days thereafter to forward to the Secretary of
19 State a report of the vacation.

20 (4) A report of any disposition of court
21 supervision for a violation of Sections 6-303, 11-401,
22 11-501 or a similar provision of a local ordinance,
23 11-503 and 11-504 shall be forwarded to the Secretary of
24 State. A report of any disposition of court supervision
25 for a violation of an offense defined as a serious
26 traffic violation in this Code or a similar provision of
27 a local ordinance committed by a person under the age of
28 21 years shall be forwarded to the Secretary of State.

29 (5) Reports of conviction under this Code and
30 sentencing hearings hearing under the Juvenile Court Act
31 of 1987 in an electronic format or a computer processible
32 medium shall be forwarded to the Secretary of State via
33 the Supreme Court in the form and format required by the
34 Illinois Supreme Court and established by a written

1 agreement between the Supreme Court and the Secretary of
2 State. In counties with a population over 300,000,
3 instead of forwarding reports to the Supreme Court,
4 reports of conviction under this Code and sentencing
5 hearings hearing under the Juvenile Court Act of 1987 in
6 an electronic format or a computer processible medium may
7 be forwarded to the Secretary of State by the Circuit
8 Court Clerk in a form and format required by the
9 Secretary of State and established by written agreement
10 between the Circuit Court Clerk and the Secretary of
11 State. Failure to forward the reports of conviction or
12 sentencing hearing under the Juvenile Court Act of 1987
13 as required by this Section shall be deemed an omission
14 of duty and it shall be the duty of the several State's
15 Attorneys to enforce the requirements of this Section.

16 (b) Whenever a restricted driving permit is forwarded to
17 a court, as a result of confiscation by a police officer
18 pursuant to the authority in Section 6-113(f), it shall be
19 the duty of the clerk, or judge, if the court has no clerk,
20 to forward such restricted driving permit and a facsimile of
21 the officer's citation to the Secretary of State as
22 expeditiously as practicable.

23 (c) For the purposes of this Code, a forfeiture of bail
24 or collateral deposited to secure a defendant's appearance in
25 court when forfeiture has not been vacated, or the failure of
26 a defendant to appear for trial after depositing his driver's
27 license in lieu of other bail, shall be equivalent to a
28 conviction.

29 (d) For the purpose of providing the Secretary of State
30 with records necessary to properly monitor and assess driver
31 performance and assist the courts in the proper disposition
32 of repeat traffic law offenders, the clerk of the court shall
33 forward to the Secretary of State, on either-on-paper-or-in
34 an-electronic-format, in a form prescribed by the Secretary,

1 records of any--disposition--of--court--supervision--for--any
 2 traffic violation, excluding those listed in paragraph (a)(2)
 3 of this Section, or records of a driver's participation in a
 4 driver remedial or rehabilitative program which was required,
 5 through a court order or court supervision, in relation to
 6 the driver's arrest for a violation of Section 11-501 of this
 7 Code or a similar provision of a local ordinance. The clerk
 8 of the court shall also forward to the Secretary, either on
 9 paper or in an electronic format or a computer processible
 10 medium as required under paragraph (5) of subsection (a) of
 11 this Section, any disposition of court supervision for any
 12 traffic violation, excluding those offenses listed in
 13 paragraph (2) of subsection (a) of this Section. These
 14 reports shall be sent within 10 days after disposition, or,
 15 if the driver is referred to a driver remedial or
 16 rehabilitative program, within 10 days of the driver's
 17 referral to that program. These reports received by the
 18 Secretary of State, including those required to be forwarded
 19 under paragraph (a)(4), shall be privileged information,
 20 available only (i) to the affected driver and (ii) for use by
 21 the courts, police officers, prosecuting authorities, and the
 22 Secretary of State.

23 (Source: P.A. 90-369, eff. 1-1-98; 90-590, eff. 1-1-99;
 24 91-357, eff. 7-29-99; 91-716, eff. 10-1-00.)

25 (625 ILCS 5/6-206) (from Ch. 95 1/2, par. 6-206)
 26 Sec. 6-206. Discretionary authority to suspend or revoke
 27 license or permit; Right to a hearing.

28 (a) The Secretary of State is authorized to suspend or
 29 revoke the driving privileges of any person without
 30 preliminary hearing upon a showing of the person's records or
 31 other sufficient evidence that the person:

- 32 1. Has committed an offense for which mandatory
 33 revocation of a driver's license or permit is required

1 upon conviction;

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

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

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

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

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

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

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

3 9. Has made a false statement or knowingly
4 concealed a material fact or has used false information
5 or identification in any application for a license,
6 identification card, or permit;

7 10. Has possessed, displayed, or attempted to
8 fraudulently use any license, identification card, or
9 permit not issued to the person;

10 11. Has operated a motor vehicle upon a highway of
11 this State when the person's driving privilege or
12 privilege to obtain a driver's license or permit was
13 revoked or suspended unless the operation was authorized
14 by a judicial driving permit, probationary license to
15 drive, or a restricted driving permit issued under this
16 Code;

17 12. Has submitted to any portion of the application
18 process for another person or has obtained the services
19 of another person to submit to any portion of the
20 application process for the purpose of obtaining a
21 license, identification card, or permit for some other
22 person;

23 13. Has operated a motor vehicle upon a highway of
24 this State when the person's driver's license or permit
25 was invalid under the provisions of Sections 6-107.1 and
26 6-110;

27 14. Has committed a violation of Section 6-301,
28 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or
29 14B of the Illinois Identification Card Act;

30 15. Has been convicted of violating Section 21-2 of
31 the Criminal Code of 1961 relating to criminal trespass
32 to vehicles in which case, the suspension shall be for
33 one year;

34 16. Has been convicted of violating Section 11-204

1 of this Code relating to fleeing from a police officer;

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

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

9 19. Has committed a violation of paragraph (a) or
10 (b) of Section 6-101 relating to driving without a
11 driver's license;

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

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

18 22. Has used a motor vehicle in violating paragraph
19 (3), (4), (7), or (9) of subsection (a) of Section 24-1
20 of the Criminal Code of 1961 relating to unlawful use of
21 weapons, in which case the suspension shall be for one
22 year;

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

27 24. Has been convicted by a court-martial or
28 punished by non-judicial punishment by military
29 authorities of the United States at a military
30 installation in Illinois of or for a traffic related
31 offense that is the same as or similar to an offense
32 specified under Section 6-205 or 6-206 of this Code;

33 25. Has permitted any form of identification to be
34 used by another in the application process in order to

1 obtain or attempt to obtain a license, identification
2 card, or permit;

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

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

8 28. Has been convicted of the illegal possession,
9 while operating or in actual physical control, as a
10 driver, of a motor vehicle, of any controlled substance
11 prohibited under the Illinois Controlled Substances Act
12 or any cannabis prohibited under the provisions of the
13 Cannabis Control Act, in which case the person's driving
14 privileges shall be suspended for one year, and any
15 driver who is convicted of a second or subsequent
16 offense, within 5 years of a previous conviction, for the
17 illegal possession, while operating or in actual physical
18 control, as a driver, of a motor vehicle, of any
19 controlled substance prohibited under the provisions of
20 the Illinois Controlled Substances Act or any cannabis
21 prohibited under the Cannabis Control Act shall be
22 suspended for 5 years. Any defendant found guilty of this
23 offense while operating a motor vehicle, shall have an
24 entry made in the court record by the presiding judge
25 that this offense did occur while the defendant was
26 operating a motor vehicle and order the clerk of the
27 court to report the violation to the Secretary of State;

28 29. Has been convicted of the following offenses
29 that were committed while the person was operating or in
30 actual physical control, as a driver, of a motor vehicle:
31 criminal sexual assault, predatory criminal sexual
32 assault of a child, aggravated criminal sexual assault,
33 criminal sexual abuse, aggravated criminal sexual abuse,
34 juvenile pimping, soliciting for a juvenile prostitute

1 and the manufacture, sale or delivery of controlled
 2 substances or instruments used for illegal drug use or
 3 abuse in which case the driver's driving privileges shall
 4 be suspended for one year;

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

9 31. Has refused to submit to a test as required by
 10 Section 11-501.6 or has submitted to a test resulting in
 11 an alcohol concentration of 0.08 or more or any amount of
 12 a drug, substance, or compound resulting from the
 13 unlawful use or consumption of cannabis as listed in the
 14 Cannabis Control Act, ~~or~~ a controlled substance as listed
 15 in the Illinois Controlled Substances Act, or an
 16 intoxicating compound as listed in the use of
 17 Intoxicating Compounds Act, in which case the penalty
 18 shall be as prescribed in Section 6-208.1;

19 32. Has been convicted of Section 24-1.2 of the
 20 Criminal Code of 1961 relating to the aggravated
 21 discharge of a firearm if the offender was located in a
 22 motor vehicle at the time the firearm was discharged, in
 23 which case the suspension shall be for 3 years;

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

28 34. Has committed a violation of Section 11-1301.5
 29 of this Code;

30 35. Has committed a violation of Section 11-1301.6
 31 of this Code; or

32 36. Is under the age of 21 years at the time of
 33 arrest and has been convicted of not less than 2
 34 offenses against traffic regulations governing the

1 movement of vehicles committed within any 24 month
2 period. No revocation or suspension shall be entered
3 more than 6 months after the date of last conviction.

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

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

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

27 2. If the Secretary of State suspends the driver's
28 license of a person under subsection 2 of paragraph (a)
29 of this Section, a person's privilege to operate a
30 vehicle as an occupation shall not be suspended, provided
31 an affidavit is properly completed, the appropriate fee
32 received, and a permit issued prior to the effective date
33 of the suspension, unless 5 offenses were committed, at
34 least 2 of which occurred while operating a commercial

1 vehicle in connection with the driver's regular
2 occupation. All other driving privileges shall be
3 suspended by the Secretary of State. Any driver prior to
4 operating a vehicle for occupational purposes only must
5 submit the affidavit on forms to be provided by the
6 Secretary of State setting forth the facts of the
7 person's occupation. The affidavit shall also state the
8 number of offenses committed while operating a vehicle in
9 connection with the driver's regular occupation. The
10 affidavit shall be accompanied by the driver's license.
11 Upon receipt of a properly completed affidavit, the
12 Secretary of State shall issue the driver a permit to
13 operate a vehicle in connection with the driver's regular
14 occupation only. Unless the permit is issued by the
15 Secretary of State prior to the date of suspension, the
16 privilege to drive any motor vehicle shall be suspended
17 as set forth in the notice that was mailed under this
18 Section. If an affidavit is received subsequent to the
19 effective date of this suspension, a permit may be issued
20 for the remainder of the suspension period.

21 The provisions of this subparagraph shall not apply
22 to any driver required to obtain a commercial driver's
23 license under Section 6-507 during the period of a
24 disqualification of commercial driving privileges under
25 Section 6-514.

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

31 3. At the conclusion of a hearing under Section
32 2-118 of this Code, the Secretary of State shall either
33 rescind or continue an order of revocation or shall
34 substitute an order of suspension; or, good cause

1 appearing therefor, rescind, continue, change, or extend
2 the order of suspension. If the Secretary of State does
3 not rescind the order, the Secretary may upon
4 application, to relieve undue hardship, issue a
5 restricted driving permit granting the privilege of
6 driving a motor vehicle between the petitioner's
7 residence and petitioner's place of employment or within
8 the scope of his employment related duties, or to allow
9 transportation for the petitioner, or a household member
10 of the petitioner's family, to receive necessary medical
11 care and if the professional evaluation indicates,
12 provide transportation for alcohol remedial or
13 rehabilitative activity, or for the petitioner to attend
14 classes, as a student, in an accredited educational
15 institution; if the petitioner is able to demonstrate
16 that no alternative means of transportation is reasonably
17 available and the petitioner will not endanger the public
18 safety or welfare. In each case the Secretary may issue a
19 restricted driving permit for a period deemed
20 appropriate, except that all permits shall expire within
21 one year from the date of issuance. A restricted driving
22 permit issued under this Section shall be subject to
23 cancellation, revocation, and suspension by the Secretary
24 of State in like manner and for like cause as a driver's
25 license issued under this Code may be cancelled, revoked,
26 or suspended; except that a conviction upon one or more
27 offenses against laws or ordinances regulating the
28 movement of traffic shall be deemed sufficient cause for
29 the revocation, suspension, or cancellation of a
30 restricted driving permit. The Secretary of State may, as
31 a condition to the issuance of a restricted driving
32 permit, require the applicant to participate in a
33 designated driver remedial or rehabilitative program. The
34 Secretary of State is authorized to cancel a restricted

1 driving permit if the permit holder does not successfully
2 complete the program.

3 (c-5) The Secretary of State may, as a condition of the
4 reissuance of a driver's license or permit to an applicant
5 ~~under--the--age--of--18--years~~ whose driver's license or permit
6 has been suspended before he or she reached the age of 18
7 years pursuant to any of the provisions of this Section,
8 require the applicant to participate in a driver remedial
9 education course and be retested under Section 6-109 of this
10 Code.

11 (d) This Section is subject to the provisions of the
12 Drivers License Compact.

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

17 (Source: P.A. 89-283, eff. 1-1-96; 89-428, eff. 12-13-95;
18 89-462, eff. 5-29-96; 90-43, eff. 7-2-97; 90-106, eff.
19 1-1-98; 90-369, eff. 1-1-98; 90-655, eff. 7-30-98.)

20 (625 ILCS 5/6-208) (from Ch. 95 1/2, par. 6-208)
21 Sec. 6-208. Period of Suspension - Application After
22 Revocation.

23 (a) Except as otherwise provided by this Code or any
24 other law of this State, the Secretary of State shall not
25 suspend a driver's license, permit or privilege to drive a
26 motor vehicle on the highways for a period of more than one
27 year.

28 (b) Any person whose license, permit or privilege to
29 drive a motor vehicle on the highways has been revoked shall
30 not be entitled to have such license, permit or privilege
31 renewed or restored. However, such person may, except as
32 provided under subsection (d) of Section 6-205, make
33 application for a license pursuant to Section 6-106 (i) if

1 the revocation was for a cause which has been removed or (ii)
2 as provided in the following subparagraphs:

3 1. Except as provided in subparagraphs 2, 3, and 4,
4 the person may make application for a license after the
5 expiration of one year from the effective date of the
6 revocation or, in the case of a violation of paragraph
7 (b) of Section 11-401 of this Code or a similar provision
8 of a local ordinance, after the expiration of 3 years
9 from the effective date of the revocation or, in the case
10 of a violation of Section 9-3 of the Criminal Code of
11 1961 relating to the offense of reckless homicide, after
12 the expiration of 2 years from the effective date of the
13 revocation.

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

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

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

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

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

26 then such person may not make application for a license
27 until after the expiration of 5 years from the effective
28 date of the most recent revocation. The 20 year period
29 shall be computed by using the dates the offenses were
30 committed and shall also include similar out-of-state
31 offenses.

32 3. However, except as provided in subparagraph 4,
33 if such person is convicted of committing a third, or
34 subsequent, violation or any combination of the above

1 offenses, including similar out-of-state offenses,
 2 contained in subparagraph 2, then such person may not
 3 make application for a license until after the expiration
 4 of 10 years from the effective date of the most recent
 5 revocation.

6 4. The person may not make application for a
 7 license if the person is convicted of committing a fourth
 8 or subsequent violation of Section 11-501 of this Code or
 9 a similar provision of a local ordinance, ~~paragraph--(b)~~
 10 ~~of~~ Section 11-401 of this Code, Section 9-3 of the
 11 Criminal Code of 1961, or a combination of these offenses
 12 or similar provisions of local ordinances or similar
 13 out-of-state offenses ~~if--the--original--revocation--or~~
 14 ~~suspension--was--for--a--violation--of--Section-11-501-or~~
 15 ~~11-501.1-of-this-Code-or-a-similar-provision-of--a--local~~
 16 ~~ordinance.~~

17 Notwithstanding any other provision of this Code, all
 18 persons referred to in this paragraph (b) may not have their
 19 privileges restored until the Secretary receives payment of
 20 the required reinstatement fee pursuant to subsection (b) of
 21 Section 6-118.

22 In no event shall the Secretary issue such license unless
 23 and until such person has had a hearing pursuant to this Code
 24 and the appropriate administrative rules and the Secretary is
 25 satisfied, after a review or investigation of such person,
 26 that to grant the privilege of driving a motor vehicle on the
 27 highways will not endanger the public safety or welfare.

28 (Source: P.A. 90-543, eff. 12-1-97; 90-738, eff. 1-1-99;
 29 91-357, eff. 7-29-99.)

30 Section 10. The Unified Code of Corrections is amended
 31 by changing Section 5-6-3.1 as follows:

32 (730 ILCS 5/5-6-3.1) (from Ch. 38, par. 1005-6-3.1)

1 Sec. 5-6-3.1. Incidents and Conditions of Supervision.

2 (a) When a defendant is placed on supervision, the court
3 shall enter an order for supervision specifying the period of
4 such supervision, and shall defer further proceedings in the
5 case until the conclusion of the period.

6 (b) The period of supervision shall be reasonable under
7 all of the circumstances of the case, but may not be longer
8 than 2 years, unless the defendant has failed to pay the
9 assessment required by Section 10.3 of the Cannabis Control
10 Act or Section 411.2 of the Illinois Controlled Substances
11 Act, in which case the court may extend supervision beyond 2
12 years. Additionally, the court shall order the defendant to
13 perform no less than 30 hours of community service and not
14 more than 120 hours of community service, if community
15 service is available in the jurisdiction and is funded and
16 approved by the county board where the offense was committed,
17 when the offense (1) was related to or in furtherance of the
18 criminal activities of an organized gang or was motivated by
19 the defendant's membership in or allegiance to an organized
20 gang; or (2) is a violation of any Section of Article 24 of
21 the Criminal Code of 1961 where a disposition of supervision
22 is not prohibited by Section 5-6-1 of this Code. The
23 community service shall include, but not be limited to, the
24 cleanup and repair of any damage caused by violation of
25 Section 21-1.3 of the Criminal Code of 1961 and similar
26 damages to property located within the municipality or county
27 in which the violation occurred. Where possible and
28 reasonable, the community service should be performed in the
29 offender's neighborhood.

30 For the purposes of this Section, "organized gang" has
31 the meaning ascribed to it in Section 10 of the Illinois
32 Streetgang Terrorism Omnibus Prevention Act.

33 (c) The court may in addition to other reasonable
34 conditions relating to the nature of the offense or the

1 rehabilitation of the defendant as determined for each
2 defendant in the proper discretion of the court require that
3 the person:

4 (1) make a report to and appear in person before or
5 participate with the court or such courts, person, or
6 social service agency as directed by the court in the
7 order of supervision;

8 (2) pay a fine and costs;

9 (3) work or pursue a course of study or vocational
10 training;

11 (4) undergo medical, psychological or psychiatric
12 treatment; or treatment for drug addiction or alcoholism;

13 (5) attend or reside in a facility established for
14 the instruction or residence of defendants on probation;

15 (6) support his dependents;

16 (7) refrain from possessing a firearm or other
17 dangerous weapon;

18 (8) and in addition, if a minor:

19 (i) reside with his parents or in a foster
20 home;

21 (ii) attend school;

22 (iii) attend a non-residential program for
23 youth;

24 (iv) contribute to his own support at home or
25 in a foster home; and

26 (9) make restitution or reparation in an amount not
27 to exceed actual loss or damage to property and pecuniary
28 loss or make restitution under Section 5-5-6 to a
29 domestic violence shelter. The court shall determine the
30 amount and conditions of payment;

31 (10) perform some reasonable public or community
32 service;

33 (11) comply with the terms and conditions of an
34 order of protection issued by the court pursuant to the

1 Illinois Domestic Violence Act of 1986 or an order of
2 protection issued by the court of another state, tribe,
3 or United States territory. If the court has ordered the
4 defendant to make a report and appear in person under
5 paragraph (1) of this subsection, a copy of the order of
6 protection shall be transmitted to the person or agency
7 so designated by the court;

8 (12) reimburse any "local anti-crime program" as
9 defined in Section 7 of the Anti-Crime Advisory Council
10 Act for any reasonable expenses incurred by the program
11 on the offender's case, not to exceed the maximum amount
12 of the fine authorized for the offense for which the
13 defendant was sentenced;

14 (13) contribute a reasonable sum of money, not to
15 exceed the maximum amount of the fine authorized for the
16 offense for which the defendant was sentenced, to a
17 "local anti-crime program", as defined in Section 7 of
18 the Anti-Crime Advisory Council Act;

19 (14) refrain from entering into a designated
20 geographic area except upon such terms as the court finds
21 appropriate. Such terms may include consideration of the
22 purpose of the entry, the time of day, other persons
23 accompanying the defendant, and advance approval by a
24 probation officer;

25 (15) refrain from having any contact, directly or
26 indirectly, with certain specified persons or particular
27 types of person, including but not limited to members of
28 street gangs and drug users or dealers;

29 (16) refrain from having in his or her body the
30 presence of any illicit drug prohibited by the Cannabis
31 Control Act or the Illinois Controlled Substances Act,
32 unless prescribed by a physician, and submit samples of
33 his or her blood or urine or both for tests to determine
34 the presence of any illicit drug;

1 (17) refrain from operating any motor vehicle not
2 equipped with an ignition interlock device as defined in
3 Section 1-129.1 of the Illinois Vehicle Code. Under this
4 condition the court may allow a defendant who is not
5 self-employed to operate a vehicle owned by the
6 defendant's employer that is not equipped with an
7 ignition interlock device in the course and scope of the
8 defendant's employment.

9 (d) The court shall defer entering any judgment on the
10 charges until the conclusion of the supervision.

11 (e) At the conclusion of the period of supervision, if
12 the court determines that the defendant has successfully
13 complied with all of the conditions of supervision, the court
14 shall discharge the defendant and enter a judgment dismissing
15 the charges.

16 (f) Discharge and dismissal upon a successful conclusion
17 of a disposition of supervision shall be deemed without
18 adjudication of guilt and shall not be termed a conviction
19 for purposes of disqualification or disabilities imposed by
20 law upon conviction of a crime. Two years after the
21 discharge and dismissal under this Section, unless the
22 disposition of supervision was for a violation of Sections
23 3-707, 3-708, 3-710, 5-401.3, or 11-503 of the Illinois
24 Vehicle Code or a similar provision of a local ordinance, or
25 for a violation of Sections 12-3.2 or 16A-3 of the Criminal
26 Code of 1961, in which case it shall be 5 years after
27 discharge and dismissal, a person may have his record of
28 arrest sealed or expunged as may be provided by law.
29 However, any defendant placed on supervision before January
30 1, 1980, may move for sealing or expungement of his arrest
31 record, as provided by law, at any time after discharge and
32 dismissal under this Section. A person placed on supervision
33 for a sexual offense committed against a minor as defined in
34 subsection (g) of Section 5 of the Criminal Identification

1 Act or for a violation of Section 11-501 of the Illinois
2 Vehicle Code or a similar provision of a local ordinance
3 shall not have his or her record of arrest sealed or
4 expunged.

5 (g) A defendant placed on supervision and who during the
6 period of supervision undergoes mandatory drug or alcohol
7 testing, or both, or is assigned to be placed on an approved
8 electronic monitoring device, shall be ordered to pay the
9 costs incidental to such mandatory drug or alcohol testing,
10 or both, and costs incidental to such approved electronic
11 monitoring in accordance with the defendant's ability to pay
12 those costs. The county board with the concurrence of the
13 Chief Judge of the judicial circuit in which the county is
14 located shall establish reasonable fees for the cost of
15 maintenance, testing, and incidental expenses related to the
16 mandatory drug or alcohol testing, or both, and all costs
17 incidental to approved electronic monitoring, of all
18 defendants placed on supervision. The concurrence of the
19 Chief Judge shall be in the form of an administrative order.
20 The fees shall be collected by the clerk of the circuit
21 court. The clerk of the circuit court shall pay all moneys
22 collected from these fees to the county treasurer who shall
23 use the moneys collected to defray the costs of drug testing,
24 alcohol testing, and electronic monitoring. The county
25 treasurer shall deposit the fees collected in the county
26 working cash fund under Section 6-27001 or Section 6-29002 of
27 the Counties Code, as the case may be.

28 (h) A disposition of supervision is a final order for
29 the purposes of appeal.

30 (i) The court shall impose upon a defendant placed on
31 supervision after January 1, 1992, as a condition of
32 supervision, a fee of \$25 for each month of supervision
33 ordered by the court, unless after determining the inability
34 of the person placed on supervision to pay the fee, the court

1 assesses a lesser fee. The court may not impose the fee on a
2 minor who is made a ward of the State under the Juvenile
3 Court Act of 1987 while the minor is in placement. The fee
4 shall be imposed only upon a defendant who is actively
5 supervised by the probation and court services department.
6 The fee shall be collected by the clerk of the circuit court.
7 The clerk of the circuit court shall pay all monies collected
8 from this fee to the county treasurer for deposit in the
9 probation and court services fund pursuant to Section 15.1 of
10 the Probation and Probation Officers Act.

11 (j) All fines and costs imposed under this Section for
12 any violation of Chapters 3, 4, 6, and 11 of the Illinois
13 Vehicle Code, or a similar provision of a local ordinance,
14 and any violation of the Child Passenger Protection Act, or a
15 similar provision of a local ordinance, shall be collected
16 and disbursed by the circuit clerk as provided under Section
17 27.5 of the Clerks of Courts Act.

18 (k) A defendant at least 17 years of age who is placed
19 on supervision for a misdemeanor in a county of 3,000,000 or
20 more inhabitants and who has not been previously convicted of
21 a misdemeanor or felony may as a condition of his or her
22 supervision be required by the court to attend educational
23 courses designed to prepare the defendant for a high school
24 diploma and to work toward a high school diploma or to work
25 toward passing the high school level Test of General
26 Educational Development (GED) or to work toward completing a
27 vocational training program approved by the court. The
28 defendant placed on supervision must attend a public
29 institution of education to obtain the educational or
30 vocational training required by this subsection (k). The
31 defendant placed on supervision shall be required to pay for
32 the cost of the educational courses or GED test, if a fee is
33 charged for those courses or test. The court shall revoke
34 the supervision of a person who wilfully fails to comply with

1 this subsection (k). The court shall resentence the
 2 defendant upon revocation of supervision as provided in
 3 Section 5-6-4. This subsection (k) does not apply to a
 4 defendant who has a high school diploma or has successfully
 5 passed the GED test. This subsection (k) does not apply to a
 6 defendant who is determined by the court to be
 7 developmentally disabled or otherwise mentally incapable of
 8 completing the educational or vocational program.

9 (l) The court shall require a defendant placed on
 10 supervision for possession of a substance prohibited by the
 11 Cannabis Control Act or Illinois Controlled Substances Act
 12 after a previous conviction or disposition of supervision for
 13 possession of a substance prohibited by the Cannabis Control
 14 Act or Illinois Controlled Substances Act or a sentence of
 15 probation under Section 10 of the Cannabis Control Act or
 16 Section 410 of the Illinois Controlled Substances Act and
 17 after a finding by the court that the person is addicted, to
 18 undergo treatment at a substance abuse program approved by
 19 the court.

20 (m) The Secretary of State court shall require anyone a
 21 defendant placed on court supervision for a violation of
 22 Section 3-707 of the Illinois Vehicle Code or a similar
 23 provision of a local ordinance, ~~as a condition of~~
 24 ~~supervision,~~ to give proof of his or her financial
 25 responsibility as defined in Section 7-315 of the Illinois
 26 Vehicle Code. The proof shall be maintained by the
 27 individual defendant in a manner satisfactory to the
 28 Secretary of State for a minimum period of one year after the
 29 date the proof is first filed. The proof shall be limited to
 30 a single action per arrest and may not be affected by any
 31 post-sentence disposition. The Secretary of State shall
 32 suspend the driver's license of any person determined by the
 33 Secretary to be in violation of this subsection.

34 (Source: P.A. 90-14, eff. 7-1-97; 90-399, eff. 1-1-98;

1 90-504, eff. 1-1-98; 90-655, eff. 7-30-98; 90-784, eff.
2 1-1-99; 91-127, eff. 1-1-00; 91-696, eff. 4-13-00; 91-903,
3 eff. 1-1-01.)

4 (625 ILCS 5/6-205.1 rep.)

5 Section 15. The Illinois Vehicle Code is amended by
6 repealing Section 6-205.1.

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