

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 6-205 as follows:

6 (625 ILCS 5/6-205) (from Ch. 95 1/2, par. 6-205)

7 Sec. 6-205. Mandatory revocation of license or permit;
8 Hardship cases.

9 (a) Except as provided in this Section, the Secretary of
10 State shall immediately revoke the license or permit of any
11 driver upon receiving a report of the driver's conviction of
12 any of the following offenses:

13 1. Reckless homicide resulting from the operation
14 of a motor vehicle;

15 2. Violation of Section 11-501 of this Code or a
16 similar provision of a local ordinance relating to the
17 offense of operating or being in physical control of a
18 vehicle while under the influence of alcohol, other drug
19 or drugs, intoxicating compound or compounds, or any
20 combination of alcohol, drugs, or intoxicating compounds
21 thereof;

22 3. Any felony under the laws of any State or the
23 federal government in the commission of which a motor
24 vehicle was used;

25 4. Violation of Section 11-401 of this Code
26 relating to the offense of leaving the scene of a traffic
27 accident involving death or personal injury;

28 5. Perjury or the making of a false affidavit or
29 statement under oath to the Secretary of State under this
30 Code or under any other law relating to the ownership or
31 operation of motor vehicles;

1 6. Conviction upon 3 charges of violation of
2 Section 11-503 of this Code relating to the offense of
3 reckless driving committed within a period of 12 months;

4 7. Conviction of the offense of automobile theft as
5 defined in Section 4-102 of this Code;

6 8. Violation of Section 11-504 of this Code
7 relating to the offense of drag racing;

8 9. Violation of Chapters 8 and 9 of this Code;

9 10. Violation of Section 12-5 of the Criminal Code
10 of 1961 arising from the use of a motor vehicle;

11 11. Violation of Section 11-204.1 of this Code
12 relating to aggravated fleeing or attempting to elude a
13 police officer;

14 12. Violation of paragraph (1) of subsection (b) of
15 Section 6-507, or a similar law of any other state,
16 relating to the unlawful operation of a commercial motor
17 vehicle;

18 13. Violation of paragraph (a) of Section 11-502 of
19 this Code or a similar provision of a local ordinance if
20 the driver has been previously convicted of a violation
21 of that Section or a similar provision of a local
22 ordinance and the driver was less than 21 years of age at
23 the time of the offense.

24 (b) The Secretary of State shall also immediately revoke
25 the license or permit of any driver in the following
26 situations:

27 1. Of any minor upon receiving the notice provided
28 for in Section 5-901 of the Juvenile Court Act of 1987
29 that the minor has been adjudicated under that Act as
30 having committed an offense relating to motor vehicles
31 prescribed in Section 4-103 of this Code;

32 2. Of any person when any other law of this State
33 requires either the revocation or suspension of a license
34 or permit.

1 (c) Whenever a person is convicted of any of the
2 offenses enumerated in this Section, the court may recommend
3 and the Secretary of State in his discretion, without regard
4 to whether the recommendation is made by the court, may, upon
5 application, issue to the person a restricted driving permit
6 granting the privilege of driving a motor vehicle between the
7 petitioner's residence and petitioner's place of employment
8 or within the scope of the petitioner's employment related
9 duties, or to allow transportation for the petitioner or a
10 household member of the petitioner's family for the receipt
11 of necessary medical care or, if the professional evaluation
12 indicates, provide transportation for the petitioner for
13 alcohol remedial or rehabilitative activity, or for the
14 petitioner to attend classes, as a student, in an accredited
15 educational institution; if the petitioner is able to
16 demonstrate that no alternative means of transportation is
17 reasonably available and the petitioner will not endanger the
18 public safety or welfare; provided that the Secretary's
19 discretion shall be limited to cases where undue hardship
20 would result from a failure to issue the restricted driving
21 permit. In each case the Secretary of State may issue a
22 restricted driving permit for a period he deems appropriate,
23 except that the permit shall expire within one year from the
24 date of issuance. A restricted driving permit issued under
25 this Section shall be subject to cancellation, revocation,
26 and suspension by the Secretary of State in like manner and
27 for like cause as a driver's license issued under this Code
28 may be cancelled, revoked, or suspended; except that a
29 conviction upon one or more offenses against laws or
30 ordinances regulating the movement of traffic shall be deemed
31 sufficient cause for the revocation, suspension, or
32 cancellation of a restricted driving permit. The Secretary of
33 State may, as a condition to the issuance of a restricted
34 driving permit, require the applicant to participate in a

1 designated driver remedial or rehabilitative program. The
2 Secretary of State is authorized to cancel a restricted
3 driving permit if the permit holder does not successfully
4 complete the program. However, if an individual's driving
5 privileges have been revoked in accordance with paragraph 13
6 of subsection (a) of this Section, no restricted driving
7 permit shall be issued until the individual has served 6
8 months of the revocation period.

9 (d) Whenever a person under the age of 21 is convicted
10 under Section 11-501 of this Code or a similar provision of a
11 local ordinance, the Secretary of State shall revoke the
12 driving privileges of that person. One year after the date
13 of revocation, and upon application, the Secretary of State
14 may, if satisfied that the person applying will not endanger
15 the public safety or welfare, issue a restricted driving
16 permit granting the privilege of driving a motor vehicle only
17 between the hours of 5 a.m. and 9 p.m. or as otherwise
18 provided by this Section for a period of one year. After
19 this one year period, and upon reapplication for a license as
20 provided in Section 6-106, upon payment of the appropriate
21 reinstatement fee provided under paragraph (b) of Section
22 6-118, the Secretary of State, in his discretion, may issue
23 the applicant a license, or extend the restricted driving
24 permit as many times as the Secretary of State deems
25 appropriate, by additional periods of not more than 12 months
26 each, until the applicant attains 21 years of age. A
27 restricted driving permit issued under this Section shall be
28 subject to cancellation, revocation, and suspension by the
29 Secretary of State in like manner and for like cause as a
30 driver's license issued under this Code may be cancelled,
31 revoked, or suspended; except that a conviction upon one or
32 more offenses against laws or ordinances regulating the
33 movement of traffic shall be deemed sufficient cause for the
34 revocation, suspension, or cancellation of a restricted

1 driving permit. Any person under 21 years of age who has a
2 driver's license revoked for a second or subsequent
3 conviction for driving under the influence, prior to the age
4 of 21, shall not be eligible to submit an application for a
5 full reinstatement of driving privileges or a restricted
6 driving permit until age 21 or one additional year from the
7 date of the latest such revocation, whichever is the longer.
8 The revocation periods contained in this subparagraph shall
9 apply to similar out-of-state convictions.

10 (e) This Section is subject to the provisions of the
11 Driver License Compact.

12 (f) Any revocation imposed upon any person under
13 subsections 2 and 3 of paragraph (b) that is in effect on
14 December 31, 1988 shall be converted to a suspension for a
15 like period of time.

16 (g) The Secretary of State shall not issue a restricted
17 driving permit to a person under the age of 16 years whose
18 driving privileges have been revoked under any provisions of
19 this Code.

20 (h) The Secretary of State may use ignition interlock
21 device requirements when granting driving relief to
22 individuals who have been arrested for a second or subsequent
23 offense under Section 11-501 of this Code or a similar
24 provision of a local ordinance. The Secretary shall
25 establish by rule and regulation the procedures for use of
26 the interlock system.

27 (Source: P.A. 90-369, eff. 1-1-98; 90-590, eff. 1-1-99;
28 90-611, eff. 1-1-99; 90-779, eff. 1-1-99; 91-357, eff.
29 7-29-99.)