

1 AN ACT in relation to 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 6-301.1 and 6-301.2 as follows:

6 (625 ILCS 5/6-301.1) (from Ch. 95 1/2, par. 6-301.1)

7 Sec. 6-301.1. Fictitious or unlawfully altered driver's
8 license or permit.

9 (a) As used in this Section:

10 1. "A fictitious driver's license or permit" means
11 any issued license or permit for which a computerized
12 number and file have been created by the Secretary of
13 State or other official driver's license agency in
14 another jurisdiction which contains false information
15 concerning the identity of the individual issued the
16 license or permit;

17 2. "False information" means any information
18 concerning the name, sex, date of birth, social security
19 number or any photograph that falsifies all or in part
20 the actual identity of the individual issued the license
21 or permit;

22 3. "An unlawfully altered driver's license or
23 permit" means any issued license or permit for which a
24 computerized number and file have been created by the
25 Secretary of State or other official driver's license
26 agency in another jurisdiction which has been physically
27 altered or changed in such a manner that false
28 information appears upon the license or permit;

29 4. "A document capable of defrauding another"
30 includes, but is not limited to, any document by which
31 any right, obligation or power with reference to any

1 person or property may be created, transferred, altered
2 or terminated;

3 5. "An identification document" means any document
4 made or issued by or under the authority of the United
5 States Government, the State of Illinois or any other
6 state or political subdivision thereof, or any other
7 governmental or quasi-governmental organization which,
8 when completed with information concerning the
9 individual, is of a type intended or commonly accepted
10 for the purpose of identification of an individual;:-

11 6. "Common carrier" means any public or private
12 provider of transportation, whether by land, air, or
13 water.

14 (b) It is a violation of this Section for any person:

15 1. To knowingly possess any fictitious or
16 unlawfully altered driver's license or permit;

17 2. To knowingly possess, display or cause to be
18 displayed any fictitious or unlawfully altered driver's
19 license or permit for the purpose of obtaining any
20 account, credit, credit card or debit card from a bank,
21 financial institution or retail mercantile establishment;

22 3. To knowingly possess any fictitious or
23 unlawfully altered driver's license or permit with the
24 intent to commit a theft, deception or credit or debit
25 card fraud in violation of any law of this State or any
26 law of any other jurisdiction;

27 4. To knowingly possess any fictitious or
28 unlawfully altered driver's license or permit with the
29 intent to commit any other violation of any law of this
30 State or any law of any other jurisdiction for which a
31 sentence to a term of imprisonment in a penitentiary for
32 one year or more is provided;

33 5. To knowingly possess any fictitious or
34 unlawfully altered driver's license or permit while in

1 possession without authority of any document, instrument
2 or device capable of defrauding another;

3 6. To knowingly possess any fictitious or
4 unlawfully altered driver's license or permit with the
5 intent to use the license or permit to acquire any other
6 identification document;

7 7. To knowingly issue or assist in the issuance of
8 any fictitious driver's license or permit;

9 8. To knowingly alter or attempt to alter any
10 driver's license or permit;

11 9. To knowingly manufacture, possess, transfer or
12 provide any identification document whether real or
13 fictitious for the purpose of obtaining a fictitious
14 driver's license or permit;

15 10. To knowingly use any fictitious or unlawfully
16 altered driver's license or permit to purchase or attempt
17 to purchase any ticket for a common carrier or to board
18 or attempt to board any common carrier;

19 11. To knowingly possess any fictitious or
20 unlawfully altered driver's license or permit if the
21 person has at the time a different driver's license
22 issued by the Illinois Secretary of State or other
23 official driver's license agency in another jurisdiction
24 that is suspended or revoked.

25 (c) Sentence.

26 1. Any person convicted of a violation of paragraph
27 1 of subsection (b) of this Section shall be guilty of a
28 Class A misdemeanor and shall be sentenced to minimum
29 fine of \$500 or 50 hours of community service, preferably
30 at an alcohol abuse prevention program, if available. A
31 person convicted of a second or subsequent violation
32 shall be guilty of a Class 4 felony.

33 2. Any person convicted of a violation of paragraph
34 3 of subsection (b) of this Section who at the time of

1 arrest had in his possession two or more fictitious or
2 unlawfully altered driver's licenses or permits shall be
3 guilty of a Class 4 felony.

4 3. Any person convicted of a violation of any of
5 paragraphs 2 through 11 9 of subsection (b) of this
6 Section shall be guilty of a Class 4 felony. A person
7 convicted of a second or subsequent violation shall be
8 guilty of a Class 3 felony.

9 (d) This Section does not prohibit any lawfully
10 authorized investigative, protective, law enforcement or
11 other activity of any agency of the United States, State of
12 Illinois or any other state or political subdivision thereof.
13 (Source: P.A. 88-210.)

14 (625 ILCS 5/6-301.2) (from Ch. 95 1/2, par. 6-301.2)
15 Sec. 6-301.2. Fraudulent driver's license or permit.

16 (a) (Blank).

17 (b) It is a violation of this Section for any person:

18 1. To knowingly possess any fraudulent driver's
19 license or permit;

20 2. To knowingly possess, display or cause to be
21 displayed any fraudulent driver's license or permit for
22 the purpose of obtaining any account, credit, credit card
23 or debit card from a bank, financial institution or
24 retail mercantile establishment;

25 3. To knowingly possess any fraudulent driver's
26 license or permit with the intent to commit a theft,
27 deception or credit or debit card fraud in violation of
28 any law of this State or any law of any other
29 jurisdiction;

30 4. To knowingly possess any fraudulent driver's
31 license or permit with the intent to commit any other
32 violation of any laws of this State or any law of any
33 other jurisdiction for which a sentence to a term of

1 imprisonment in a penitentiary for one year or more is
2 provided;

3 5. To knowingly possess any fraudulent driver's
4 license or permit while in unauthorized possession of any
5 document, instrument or device capable of defrauding
6 another;

7 6. To knowingly possess any fraudulent driver's
8 license or permit with the intent to use the license or
9 permit to acquire any other identification document;

10 7. To knowingly possess without authority any
11 driver's license-making or permit-making implement;

12 8. To knowingly possess any stolen driver's
13 license-making or permit-making implement;

14 9. To knowingly duplicate, manufacture, sell or
15 transfer any fraudulent driver's license or permit;

16 10. To advertise or distribute any information or
17 materials that promote the selling, giving, or furnishing
18 of a fraudulent driver's license or permit;

19 11. To knowingly use any fraudulent driver's
20 license or permit to purchase or attempt to purchase any
21 ticket for a common carrier or to board or attempt to
22 board any common carrier. As used in this Section,
23 "common carrier" means any public or private provider of
24 transportation, whether by land, air, or water;

25 12. To knowingly possess any fraudulent driver's
26 license or permit if the person has at the time a
27 different driver's license issued by the Secretary of
28 State or another official driver's license agency in
29 another jurisdiction that is suspended or revoked.

30 (c) Sentence.

31 1. Any person convicted of a violation of paragraph
32 1 of subsection (b) of this Section shall be guilty of a
33 Class 4 felony and shall be sentenced to a minimum fine
34 of \$500 or 50 hours of community service, preferably at

1 an alcohol abuse prevention program, if available.

2 2. Any person convicted of a violation of any of
3 paragraphs 2 through 9 or paragraph 11 or 12 of
4 subsection (b) of this Section shall be guilty of a Class
5 4 felony. A person convicted of a second or subsequent
6 violation shall be guilty of a Class 3 felony.

7 3. Any person convicted of a violation of paragraph
8 10 of subsection (b) of this Section shall be guilty of a
9 Class B misdemeanor.

10 (d) This Section does not prohibit any lawfully
11 authorized investigative, protective, law enforcement or
12 other activity of any agency of the United States, State of
13 Illinois or any other state or political subdivision thereof.

14 (e) The Secretary may request the Attorney General to
15 seek a restraining order in the circuit court against any
16 person who violates this Section by advertising fraudulent
17 driver's licenses or permits.

18 (Source: P.A. 89-283, eff. 1-1-96; 90-89, eff. 1-1-98;
19 90-191, eff. 1-1-98; 90-655, eff. 7-30-98.)