

AN ACT concerning State government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Illinois Identification Card Act is amended by changing Section 5 as follows:

(15 ILCS 335/5) (from Ch. 124, par. 25)

(Text of Section before amendment by P.A. 103-210)

Sec. 5. Applications.

(a) Any natural person who is a resident of the State of Illinois may file an application for an identification card, or for the renewal thereof, in a manner prescribed by the Secretary. Each original application shall be completed by the applicant in full and shall set forth the legal name, residence address and zip code, social security number, birth date, sex and a brief description of the applicant. The applicant shall be photographed, unless the Secretary of State has provided by rule for the issuance of identification cards without photographs and the applicant is deemed eligible for an identification card without a photograph under the terms and conditions imposed by the Secretary of State, and he or she shall also submit any other information as the Secretary may deem necessary or such documentation as the Secretary may require to determine the identity of the applicant. In

addition to the residence address, the Secretary may allow the applicant to provide a mailing address. If the applicant is an employee of the Department of Children and Family Services with a job title of "Child Protection Specialist Trainee", "Child Protection Specialist", "Child Protection Advanced Specialist", "Child Welfare Specialist Trainee", "Child Welfare Specialist", or "Child Welfare Advanced Specialist" or a judicial officer as defined in Section 1-10 of the Judicial Privacy Act or a peace officer, the applicant may elect to have his or her office or work address in lieu of the applicant's residence or mailing address. An applicant for an Illinois Person with a Disability Identification Card must also submit with each original or renewal application, on forms prescribed by the Secretary, such documentation as the Secretary may require, establishing that the applicant is a "person with a disability" as defined in Section 4A of this Act, and setting forth the applicant's type and class of disability as set forth in Section 4A of this Act. For the purposes of this subsection (a), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(a-5) Upon the first issuance of a request for proposals for a digital driver's license and identification card

issuance and facial recognition system issued after January 1, 2020 (the effective date of Public Act 101-513), and upon implementation of a new or revised system procured pursuant to that request for proposals, the Secretary shall permit applicants to choose between "male", "female", or "non-binary" when designating the applicant's sex on the identification card application form. The sex designated by the applicant shall be displayed on the identification card issued to the applicant.

(b) Beginning on or before July 1, 2015, for each original or renewal identification card application under this Act, the Secretary shall inquire as to whether the applicant is a veteran for purposes of issuing an identification card with a veteran designation under subsection (c-5) of Section 4 of this Act. The acceptable forms of proof shall include, but are not limited to, Department of Defense form DD-214, Department of Defense form DD-256 for applicants who did not receive a form DD-214 upon the completion of initial basic training, Department of Defense form DD-2 (Retired), an identification card issued under the federal Veterans Identification Card Act of 2015, or a United States Department of Veterans Affairs summary of benefits letter. If the document cannot be stamped, the Illinois Department of Veterans' Affairs shall provide a certificate to the veteran to provide to the Secretary of State. The Illinois Department of Veterans' Affairs shall advise the Secretary as to what other forms of proof of a

person's status as a veteran are acceptable.

For each applicant who is issued an identification card with a veteran designation, the Secretary shall provide the Department of Veterans' Affairs with the applicant's name, address, date of birth, gender, and such other demographic information as agreed to by the Secretary and the Department. The Department may take steps necessary to confirm the applicant is a veteran. If after due diligence, including writing to the applicant at the address provided by the Secretary, the Department is unable to verify the applicant's veteran status, the Department shall inform the Secretary, who shall notify the applicant that he or she must confirm status as a veteran, or the identification card will be cancelled.

For purposes of this subsection (b):

"Armed forces" means any of the Armed Forces of the United States, including a member of any reserve component or National Guard unit.

"Veteran" means a person who has served in the armed forces and was discharged or separated under honorable conditions.

(c) All applicants for REAL ID compliant standard Illinois Identification Cards and Illinois Person with a Disability Identification Cards shall provide proof of lawful status in the United States as defined in 6 CFR 37.3, as amended. Applicants who are unable to provide the Secretary with proof of lawful status are ineligible for REAL ID compliant

identification cards under this Act.

(Source: P.A. 101-106, eff. 1-1-20; 101-287, eff. 8-9-19; 101-513, eff. 1-1-20; 102-558, eff. 8-20-21.)

(Text of Section after amendment by P.A. 103-210)

Sec. 5. Applications.

(a) Any natural person who is a resident of the State of Illinois may file an application for an identification card, or for the renewal thereof, in a manner prescribed by the Secretary. Each original application shall be completed by the applicant in full and shall set forth the legal name, residence address and zip code, social security number, if the person has a social security number, birth date, sex and a brief description of the applicant. The applicant shall be photographed, unless the Secretary of State has provided by rule for the issuance of identification cards without photographs and the applicant is deemed eligible for an identification card without a photograph under the terms and conditions imposed by the Secretary of State, and he or she shall also submit any other information as the Secretary may deem necessary or such documentation as the Secretary may require to determine the identity of the applicant. In addition to the residence address, the Secretary may allow the applicant to provide a mailing address. If the applicant is an employee of the Department of Children and Family Services with a job title of "Child Protection Specialist Trainee",

"Child Protection Specialist", "Child Protection Advanced Specialist", "Child Welfare Specialist Trainee", "Child Welfare Specialist" or "Child Welfare Advanced Specialist or a judicial officer as defined in Section 1-10 of the Judicial Privacy Act or a peace officer, the applicant may elect to have his or her office or work address in lieu of the applicant's residence or mailing address. An applicant for an Illinois Person with a Disability Identification Card must also submit with each original or renewal application, on forms prescribed by the Secretary, such documentation as the Secretary may require, establishing that the applicant is a "person with a disability" as defined in Section 4A of this Act, and setting forth the applicant's type and class of disability as set forth in Section 4A of this Act. For the purposes of this subsection (a), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(a-5) Upon the first issuance of a request for proposals for a digital driver's license and identification card issuance and facial recognition system issued after January 1, 2020 (the effective date of Public Act 101-513), and upon implementation of a new or revised system procured pursuant to that request for proposals, the Secretary shall permit

applicants to choose between "male", "female", or "non-binary" when designating the applicant's sex on the identification card application form. The sex designated by the applicant shall be displayed on the identification card issued to the applicant.

(b) Beginning on or before July 1, 2015, for each original or renewal identification card application under this Act, the Secretary shall inquire as to whether the applicant is a veteran for purposes of issuing an identification card with a veteran designation under subsection (c-5) of Section 4 of this Act. The acceptable forms of proof shall include, but are not limited to, Department of Defense form DD-214, Department of Defense form DD-256 for applicants who did not receive a form DD-214 upon the completion of initial basic training, Department of Defense form DD-2 (Retired), an identification card issued under the federal Veterans Identification Card Act of 2015, or a United States Department of Veterans Affairs summary of benefits letter. If the document cannot be stamped, the Illinois Department of Veterans' Affairs shall provide a certificate to the veteran to provide to the Secretary of State. The Illinois Department of Veterans' Affairs shall advise the Secretary as to what other forms of proof of a person's status as a veteran are acceptable.

For each applicant who is issued an identification card with a veteran designation, the Secretary shall provide the Department of Veterans' Affairs with the applicant's name,

address, date of birth, gender, and such other demographic information as agreed to by the Secretary and the Department. The Department may take steps necessary to confirm the applicant is a veteran. If after due diligence, including writing to the applicant at the address provided by the Secretary, the Department is unable to verify the applicant's veteran status, the Department shall inform the Secretary, who shall notify the applicant that he or she must confirm status as a veteran, or the identification card will be cancelled.

For purposes of this subsection (b):

"Armed forces" means any of the Armed Forces of the United States, including a member of any reserve component or National Guard unit.

"Veteran" means a person who has served in the armed forces and was discharged or separated under honorable conditions.

(c) All applicants for REAL ID compliant standard Illinois Identification Cards and Illinois Person with a Disability Identification Cards shall provide proof of lawful status in the United States as defined in 6 CFR 37.3, as amended. Applicants who are unable to provide the Secretary with proof of lawful status are ineligible for REAL ID compliant identification cards under this Act.

(d) The Secretary of State may accept, as proof of date of birth and written signature for any applicant for a standard identification card who does not have a social security number

or documentation issued by the United States Department of Homeland Security authorizing the applicant's presence in this country, any passport validly issued to the applicant from the applicant's country of citizenship or a consular identification document validly issued to the applicant by a consulate of that country as defined in Section 5 of the Consular Identification Document Act. Any such documents must be either unexpired or presented by an applicant within 2 years of its expiration date.

(Source: P.A. 102-558, eff. 8-20-21; 103-210, eff. 7-1-24.)

Section 10. The Illinois Vehicle Code is amended by changing Section 6-110 as follows:

(625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

Sec. 6-110. Licenses issued to drivers.

(a) The Secretary of State shall issue to every qualifying applicant a driver's license as applied for, which license shall bear a distinguishing number assigned to the licensee, the legal name, signature, zip code, date of birth, residence address, and a brief description of the licensee.

Licenses issued shall also indicate the classification and the restrictions under Section 6-104 of this Code. The Secretary may adopt rules to establish informational restrictions that can be placed on the driver's license regarding specific conditions of the licensee.

A driver's license issued may, in the discretion of the Secretary, include a suitable photograph of a type prescribed by the Secretary.

(a-1) If the licensee is less than 18 years of age, unless one of the exceptions in subsection (a-2) apply, the license shall, as a matter of law, be invalid for the operation of any motor vehicle during the following times:

(A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

(B) Between 11:00 p.m. Saturday and 6:00 a.m. on Sunday; and

(C) Between 10:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day.

(a-2) The driver's license of a person under the age of 18 shall not be invalid as described in subsection (a-1) of this Section if the licensee under the age of 18 was:

(1) accompanied by the licensee's parent or guardian or other person in custody or control of the minor;

(2) on an errand at the direction of the minor's parent or guardian, without any detour or stop;

(3) in a motor vehicle involved in interstate travel;

(4) going to or returning home from an employment activity, without any detour or stop;

(5) involved in an emergency;

(6) going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored

by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the licensee, without any detour or stop;

(7) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or

(8) married or had been married or is an emancipated minor under the Emancipation of Minors Act.

(a-2.5) The driver's license of a person who is 17 years of age and has been licensed for at least 12 months is not invalid as described in subsection (a-1) of this Section while the licensee is participating as an assigned driver in a Safe Rides program that meets the following criteria:

(1) the program is sponsored by the Boy Scouts of America or another national public service organization; and

(2) the sponsoring organization carries liability insurance covering the program.

(a-3) If a graduated driver's license holder over the age of 18 committed an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of this Code in the 6 months prior to the graduated driver's license holder's 18th birthday, and was subsequently convicted of the offense, the provisions of subsection (a-1) shall continue to apply until such time as a

period of 6 consecutive months has elapsed without an additional violation and subsequent conviction of an offense against traffic regulations governing the movement of vehicles or Section 6-107 or Section 12-603.1 of this Code.

(a-4) If an applicant for a driver's license or instruction permit has a current identification card issued by the Secretary of State, the Secretary may require the applicant to utilize the same residence address and name on the identification card, driver's license, and instruction permit records maintained by the Secretary. The Secretary may promulgate rules to implement this provision.

(a-5) If an applicant for a driver's license is an employee of the Department of Children and Family Services with a job title of "Child Protection Specialist Trainee", "Child Protection Specialist", "Child Protection Advanced Specialist", "Child Welfare Specialist Trainee", "Child Welfare Specialist", or "Child Welfare Advanced Specialist" or a judicial officer or a peace officer, the applicant may elect to have his or her office or work address listed on the license instead of the applicant's residence or mailing address. The Secretary of State shall adopt rules to implement this subsection (a-5). For the purposes of this subsection (a-5), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all

violations or is limited to specific violations.

(b) Until the Secretary of State establishes a First Person Consent organ and tissue donor registry under Section 6-117 of this Code, the Secretary of State shall provide a format on the reverse of each driver's license issued which the licensee may use to execute a document of gift conforming to the provisions of the Illinois Anatomical Gift Act. The format shall allow the licensee to indicate the gift intended, whether specific organs, any organ, or the entire body, and shall accommodate the signatures of the donor and 2 witnesses. The Secretary shall also inform each applicant or licensee of this format, describe the procedure for its execution, and may offer the necessary witnesses; provided that in so doing, the Secretary shall advise the applicant or licensee that he or she is under no compulsion to execute a document of gift. A brochure explaining this method of executing an anatomical gift document shall be given to each applicant or licensee. The brochure shall advise the applicant or licensee that he or she is under no compulsion to execute a document of gift, and that he or she may wish to consult with family, friends or clergy before doing so. The Secretary of State may undertake additional efforts, including education and awareness activities, to promote organ and tissue donation.

(c) The Secretary of State shall designate on each driver's license issued a space where the licensee may place a sticker or decal of the uniform size as the Secretary may

specify, which sticker or decal may indicate in appropriate language that the owner of the license carries an Emergency Medical Information Card.

The sticker may be provided by any person, hospital, school, medical group, or association interested in assisting in implementing the Emergency Medical Information Card, but shall meet the specifications as the Secretary may by rule or regulation require.

(d) The Secretary of State shall designate on each driver's license issued a space where the licensee may indicate his blood type and RH factor.

(e) The Secretary of State shall provide that each original or renewal driver's license issued to a licensee under 21 years of age shall be of a distinct nature from those driver's licenses issued to individuals 21 years of age and older. The color designated for driver's licenses for licensees under 21 years of age shall be at the discretion of the Secretary of State.

(e-1) The Secretary shall provide that each driver's license issued to a person under the age of 21 displays the date upon which the person becomes 18 years of age and the date upon which the person becomes 21 years of age.

(e-3) The General Assembly recognizes the need to identify military veterans living in this State for the purpose of ensuring that they receive all of the services and benefits to which they are legally entitled, including healthcare,

education assistance, and job placement. To assist the State in identifying these veterans and delivering these vital services and benefits, the Secretary of State is authorized to issue drivers' licenses with the word "veteran" appearing on the face of the licenses. This authorization is predicated on the unique status of veterans. The Secretary may not issue any other driver's license which identifies an occupation, status, affiliation, hobby, or other unique characteristics of the license holder which is unrelated to the purpose of the driver's license.

(e-5) Beginning on or before July 1, 2015, the Secretary of State shall designate a space on each original or renewal driver's license where, at the request of the applicant, the word "veteran" shall be placed. The veteran designation shall be available to a person identified as a veteran under subsection (e) of Section 6-106 of this Code who was discharged or separated under honorable conditions.

(f) The Secretary of State shall inform all Illinois licensed commercial motor vehicle operators of the requirements of the Uniform Commercial Driver License Act, Article V of this Chapter, and shall make provisions to insure that all drivers, seeking to obtain a commercial driver's license, be afforded an opportunity prior to April 1, 1992, to obtain the license. The Secretary is authorized to extend driver's license expiration dates, and assign specific times, dates and locations where these commercial driver's tests

shall be conducted. Any applicant, regardless of the current expiration date of the applicant's driver's license, may be subject to any assignment by the Secretary. Failure to comply with the Secretary's assignment may result in the applicant's forfeiture of an opportunity to receive a commercial driver's license prior to April 1, 1992.

(g) The Secretary of State shall designate on a driver's license issued, a space where the licensee may indicate that he or she has drafted a living will in accordance with the Illinois Living Will Act or a durable power of attorney for health care in accordance with the Illinois Power of Attorney Act.

(g-1) The Secretary of State, in his or her discretion, may designate on each driver's license issued a space where the licensee may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may specify, that shall indicate in appropriate language that the owner of the license has renewed his or her driver's license.

(h) A person who acts in good faith in accordance with the terms of this Section is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his or her act.

(Source: P.A. 97-263, eff. 8-5-11; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; 97-1127, eff. 1-1-13; 98-323, eff. 1-1-14; 98-463, eff. 8-16-13.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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