



Illinois Driver's License Issues as They Relate to a Client's Immigration Status



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About the Presenter

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John opened his firm in April, 1999. He has been specializing in the area of Illinois Driver's License Reinstatement since that time. Prior to opening his firm, he worked as an Assistant State's Attorney in DuPage County State's Attorney's Office from 1995-1999. Prior to that he worked for the Chief Judge of Cook County's Abuse and Neglect Division from 1993-1995. He has been licensed to practice law since 1993. He received his undergraduate degree at Valparaiso University in Valparaiso, Indiana and his law degree at DePaul University School of Law in Chicago, Illinois. He is a member of the Illinois Bar Association and DuPage County Criminal Defense Lawyers Association (President in 2007 and 2008). He is also the President and Founder of the Illinois Lawyers and Substance Abuse Counselors Association established in 2013.

John has done many presentations in the past including presentations for the DuPage County Bar Association, the DuPage County Criminal Defense Lawyers Association, NACL and many substance abuse counselor's offices relating to Driver's License Reinstatement. He has done over 8,000 Driver's License Reinstatement hearings in front of the Secretary of State of Illinois. He has established a very well-respected firm that has a very high percentage of success in getting driving relief for his clients. He has an extensive knowledge of this area of law and enjoys sharing that knowledge. He has worked with many attorneys both in state and out of state to get their clients their driving privileges reinstated.

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- Undocumented worker driving under illegal license for years
- Created a violent and problematic industry
- Bugged down court and prison system (people in jail for driving)
- IL Secretary of State and Legislature begin questioning allowing illegal industry to continue
- Decided to solve the problem
- Created TVDL program

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- Not a Simple Process but Work with You
- Must Provide the Documents they Request

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- Easier to take care of issues/problems before obtaining the TVDL
- Confirm no prior fraudulent Driver’s License
- Facial Recognition - Used by State and is very accurate
- TVDL obtained and fraud discovered - consequences

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- Prior DL Information available to obtain - Court Purpose Driving History

- After have that Driving Abstract and have a good idea what is on the history of the fraudulent license start next process
- Process to Clear Fraudulent Cancellation
- Consequences if person has already received TVDL and fraud discovered

Process to Clear Fraudulent Cancellation 17-18

- Appointment with Secretary of State Police Headquarters
- Present required information (see checklist)
- Secretary of State suspend TVDL for one year
- No current TVDL, Sec. of State Create DL# and Suspend
- Suspended - Hearing for Restricted Driving Permit
- The Attorney's job - prove client is not a danger to public safety
- Lawyer responsibility - get client to the right place to fix their problem
- Previous Drug and Alcohol offense requires investigatory Evaluation
- We owe our client the responsibility to get them to the right place

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- Felony offense - need Investigative Evaluation
- Alcohol/Drug related incidents - Formal Hearing
- If No Fraudulent Issues
- Additional Issues - Require Investigation

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- Secretary State wants to give client a chance to drive legally
- Don't be defensive when working with Secretary of State
- Want client to come clean and move on with his/her life

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Course Description

Course Presentation

This course will cover the common problems associated with an undocumented immigrant applying for a Tourist Visa Driver's License (TVDL) in the State of Illinois. It will discuss not only the procedure a person has to go through to obtain a TVDL but some of the problems a client may encounter when applying. It will indicate what those problems may be and the best way to handle them if they do arise. The purpose of this course is to help you effectively and efficiently guide your client through the process while being able to identify the problems that may arise and how to handle them.

This course provides an intellectual foundation and introduces a set of learning skills essential for success in the legal profession and for life beyond. The course will provide opportunities for careful reading, for creative and critical thinking, for oral and written communication, and for engaging with others in a shared conversation about stimulating material.

Course Material

This material is intended to be a guide in general and is not legal advice. If you have any specific question regarding the state of the law in any particular jurisdiction, we recommend that you seek legal guidance relating to your particular fact situation.

The course materials will provide the attendee with the knowledge and tools necessary to identify the current legal trends with respect to these issues. The course materials are designed to provide the attendee with current law, impending issues and future trends that can be applied in practical situations.

Course Learning Objectives and Outcomes

This course is designed to provide the following learning objectives

After this course, the Participant will understand the duties, roles and responsibilities of counsel in situations involving getting undocumented immigrants a TVDL

After this course, the Participant will learn practice tips on how to handle clients that have had a fraudulent DL in the past.

After this course, the Participant will develop an understanding about the TVDL program

Upon completion of the course, participants should be able to apply the course material; improve their ability to research, plan, synthesize a variety of sources from authentic materials, draw conclusions; and demonstrate an understanding of the theme and concepts of the course by applying them in their professional lives.

Timed Agenda:

Presenter Name: John M. Quinn

CLE Course Title: Illinois Driver's License Issues as They Relate to a Client's Immigration Status

Time Format (00:00:00 - Hours: Minutes: Seconds)	Description
00:00:00	ApexCLE Company Credit Introduction
00:00:20	Illinois Driver's License Issues as They Relate to a Client's Immigration Status
00:00:32	CLE Presenter Introduction - John M. Quinn
00:01:13	Introduction & Overview of Course
00:01:25	New Program Tourist Visa Driver's License - Goal to Educate on what the program is and the problems that can develop
00:02:27	Other States are Developing Limited License or Restricted License Programs
00:07:00	Driver's License & Immigration History in Illinois
00:07:11	No Social Security Number No License
00:07:28	Huge Growth in Fraudulent Driver's License Industry - Violent and Dangerous - Billion Dollar Industry
00:08:31	The Secretary of State of IL and the IL State Legislature created the IL TVDL program - to combat Fraudulent DL Industry
00:08:44	TVDL - License Available to People Without Valid Social Security Number
00:09:05	Why TVDL Program Created
00:09:41	One of main reasons: Uninsured Drivers

00:13:02	No Valid Driver's License Tickets and Driver's License Revoke Tickets - Bogged Down Courts
00:13:38	Created TVDL Program to fix the Problems - which in turn improved Public Safety & Court System
00:14:19	TVDL Process: How does it work
00:14:56	Five Main Points of TVDL Process
00:16:23	Issues to Consider Before Obtaining TVDL
00:16:43	Confirm No Prior Fraudulent DL
00:18:14	Facial Recognition - Why Illinois so good at finding Fraudulent Driver's License
00:19:25	Process of Prior Fraudulent DL
00:20:21	Go to DMV for Court Purposes Driving History which can only be obtained by the client or Licensed Attorney - Need to know the client's driving history
00:21:31	Call Fraud Unit from Secretary of State, File Created, Contact the nearest Secretary of State Police Headquarters, Set up a Meeting
00:23:13	If Client not a good historian on Fraudulent DL - then Go through TVDL process and let Facial Recognition Identify him/her and deal with the consequences - TVDL will be cancelled
00:24:51	If Person Has Already Received TVDL
00:25:24	Fraud Discovered and What Happens - Client Receives a Letter that a Fraudulent License Discovered and License Cancelled - Scares Client
00:28:00	Process to Clear Fraudulent Cancellation Cancellations Indefinite - will not come off record until it is cleared - can follow client to other states
00:30:00	In Past they Arrested the Client during the Fraudulent Hearing - No Longer happening since the TVDL program was created.
00:34:20	RDP - Restricted Driving Permit

00:36:47	STRESS WITH CLIENTS - CANNOT DRIVE IF SUSPENDED DL - CAN COMPLICATE LIVES IF GET CAUGHT
00:38:43	How do we get our client driving again - Restricted Driving Permits - Prove Undue Hardships
00:43:17	Driving History Fraudulent DL Merged with New Legal DL - Gets very complicated at times
00:46:35	Once Suspension Received, an Informal Hearing is Held for RDP
00:53:20	No drugs or Alcohol involved with Suspension - Easy to Resolve
00:56:25	Alcohol and Drugs complicate the Process - Your job to prove this person no longer a danger to Public Safety - AT THIS POINT MAY NEED TO CONSIDER FINDING AN EXPERIENCED LAWYER
01:06:12	Presenter Closing Summary
01:06:43	ApexCLE Company Closing Credits
01:06:50	End of Video

Driver's License Issues as they Relate to Client's Immigration Status

I. Introduction/Overview

625 ILCS 5/6-105.1 Temporary Visitor's Driver's License

A. Fairly New Program Tourist Visa Driver's Licenses (TVDL)

Under Public Act 97-1157, non visa status individuals who cannot obtain a Social Security card may apply for a Temporary Visitor Driver's License (TVDL). A TVDL is a legal document permitting foreign-born individuals living in Illinois to drive.

- B. Main goal of this course is to educate what the TVDL program is and the problems that have resulted since this program started
- C. Immigration Attorneys and other attorneys try to help an undocumented immigrant with obtaining a Tourist Visa Driver's License and fraud issues develop and it spins out of control.
- D. Other states developing a Limited License or restricted license programs that result in same problems as Illinois
- E. Knowledge gap in this area – knowledge of attorneys is very limited in this area. Please feel free to contact me and use me as a resource

II. Driver's License & Immigration History in Illinois

- A. No Driver's Licenses "DL" allowed unless valid Social Security Number
- B. Undocumented immigrants do not have SSN
- C. Huge growth in illegal documentation – gangs that specialize in illegal documentation, was and still is a billion-dollar industry
- D. Undocumented worker needed a DL for work, and would get paperwork from the street, then take it to the DMV and it would be processed
- E. Undocumented worker driving under an illegal license for years
- F. Created an industry that can be violent and cause a lot of problems
- G. Bogged down the court system – and the prison system (people in jail for just driving)
- H. IL Secretary of State and IL Legislature began questioning allowing this industry to continue by denying DLs to people without SSN
- I. Decided that they had to solve this problem
- J. Created the TVDL program

III. TVDL - License available to people without valid SSN

- A. License has limitations
 - 1. License issued for a shorter period of time
 - 2. Can't be used as a valid ID
- B. Why the TVDL Program was created
- C. Uninsured drivers – was a big problem - No insurance when accidents
 - 1. Court System/Prison system bogged down – people going to jail for driving without a valid license – not a good use of prison cells
 - 2. No valid DL tickets
 - 3. Fraudulent DL industry
- D. Upsides to creating the program
 - 1. To Protect the Overall Public Safety

2. Allowing people to get legal drivers licenses
3. To test people before they get their license so they know how to drive
4. To be insured – no uninsured drivers
5. Legal system – traffic courts no longer bogged down

IV. TVDL Process: how does it work (See Handout)

Temporary Visitor Driver's License Program" State of Illinois)

- A. Five Main Points of Process
 1. "The TVDL is valid for driving purposes only. It is not valid for identification purposes.
 2. The TVDL will be valid for three years from the date of publication.
 3. The TVDL is only valid if the card holder is able to provide proof of liability insurance.
 4. The applicant must have resided in the State of Illinois for more than 12months
 5. The TVDL will not be issued in the facility on the day of application. It will be mailed after the application information has been verified."
- B. Not a simple process but will work with you.
- C. Must provide the documents that they request

V. Issues to consider before obtaining TVDL

- A. Easier to take care of issues/problems before getting the TVDL than after the TVDL has been issued
- B. Confirm no prior fraudulent Driver's License - If there is one and TVDL processed everything blows up at some point
- C. Facial recognition – State of Illinois uses facial recognition that is very accurate and can match a 25-year-old picture to a 55-year-old. System catches a lot of people
- D. State then cancels the TVDL

VI. Process of if prior fraudulent DL

- A. Prior DL information available
 - 1. Go to DMV and get a Court Purposes Driving History
 - 2. Client or Licensed Attorney representing client are only people who can obtain this history
 - 3. You want this history, because when go to tell the fraud unit that you have a client that wants to come clean about their fraudulent license you want to know what is on that history – tickets, DUI's, licensed revoked or suspended
 - 4. Client not always good at giving history – forget things, afraid to be honest
- B. After you have that Driving abstract and have a good idea what is on the history of the fraudulent license start next process
- C. Process to Clear Fraudulent Cancellation
 - 1. Contact Fraud Unit from Sec. of State and start file - Fraud Unit Tel Number: 217-782-7605
 - 2. File created and then you go to the nearest Secretary State Police Headquarters
 - 3. Provide Checklist to client to get information that you need for your meeting
 - 4. If prior DL information not known
 - a. Go through TVDL process and then address when facial recognition identifies him/her
- D. If person has already received TVDL and fraud is discovered TVDL will be cancelled along with all other fraudulent DLs1IDs

VII. Process to Clear Fraudulent Cancellation

- A. Set up appointment with Sec. of State Police Headquarters
- B. Present required information (see checklist)
- C. The Secretary of State will eventually suspend TVDL for one year. If currently no TVDL, SOS will create Driver's License# and suspend it for one year
- D. Once suspension received, an informal hearing is held for Restrictive Driving Permit (if applicable)

- E. The attorney's job is to prove this person is not a danger to Public Safety
- F. Lawyer is responsible to get the client to the right place to fix their problem
- G. Any Drug or Alcohol offense that appears on that Driving abstract you must do an Investigatory Evaluation
 - 1. How long ago was the drug/alcohol incident
 - 2. What was the incident
 - 3. Attorney needs to evaluate whether he/she still able to help the client or find someone else who has expertise to help the client
 - 4. Better to direct the client to someone who can help them
 - 5. Don't want to jeopardize their ability to be successful at the hearing
 - a. Could cause them to not get a driver's license
 - b. Could also cause them to lose their home, their family
- H. We owe our client the responsibility to get them to the right place
 - this happens normally when alcohol and drugs get involved

VIII. Investigatory Evaluation

- A. Felony offense - need Investigative Evaluation
 - 1. Alcohol related incidents or drug related
 - 2. Need to investigate what kind of incident
- B. Alcohol/Drug related incidents require Formal Hearing
- C. If no Fraudulent Issues
 - 1. Proceed to process outlined in TVDL handout
- D. Additional Issues that need to be investigated:
 - 1. Client has prior tickets/DUIs etc.
 - 2. DL will have been created for him/her
 - 3. May require IHG/FHG depending on circumstances before TVDL can be issued

IX. Important Phone Numbers/Websites

- A. SOS website: cyberdriveillinois.com
- B. My firm's website: JMQLAW.COM
- C. Driver's Services Tel. Number: 211-185-8619
- D. Administrative Hrs. Tel. Number: 211-182-1065
- E. SOS Fraud Unit Tel. Number: 21 7-782-7605
- F. SOS Police Villa Park Tel. Number: 630-693-os51

X. Presenter Closing

Here in Illinois the Secretary of State is not here to stick it to your client. They want to give them the opportunity to drive legally. Don't be defensive when working with the Secretary of State. The SOS wants your client to come clean and move on with their lives.

LAW OFFICES OF

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DATE

IL Secretary of State Police
Villa Park Investigatory Hearing
103 W. Roosevelt Road
Villa Park, IL 60181

*Hearing Date - Not yet determined

CLIENT NAME:

Please be advised that you are required to present the following forms/documents at our appointment before the Villa Park Investigator:

- _____ Birth Certificate from your country of birth
- _____ Certified Translation of the Birth Certificate to English
- _____ Passport from your country of birth (must be valid)
- _____ Marriage License, if applicable (Note: if not in English, it must be translated to English)
- _____ Children 's Birth Certificates, if applicable
- _____ Matricula Consular Card OR Permanent Resident Card

- _____ VISA (Business, Student, Visitor/Tourist etc.) OR
- _____ USDOJ Employment Authorization Card OR
- _____ Military ID or DD214

- _____ Proof of Residency within the State of Illinois for the past twelve (12) months (i.e.: utility bills, bank statements, mortgage documents, lease agreement, W-2 etc.)

***Note: One document has to be submitted for each of the past 12 months.**

- _____ US Mail with current address (at least two forms; utility bill, bank statement etc.)
- _____ Any/All Drivers Licenses and IDs in your possession
- _____ Your Social Security Card (if you have one)

You will be receiving a Notice in the mail in a couple weeks pertaining to the investigator assigned to your case. Once you have received the Notice and have all the above-requested items in your possession, please contact my office and we can schedule your hearing date with the Investigator in Villa Park.

*** \$ XXX.XX Due at the time of Hearing** *

*****We do not accept personal checks. Thank you*****

Sincerely,

John M. Quinn
JMQ/hth

A PROFESSIONAL CORPORATION

Resources

Resources Specific to this Course

625 ILCS 5/6-105.1 Temporary visitor's driver's license.

(a) The Secretary of State may issue a temporary visitor's driver's license to a foreign national who (i) resides in this State, (ii) is ineligible to obtain a social security number, and (iii) presents to the Secretary documentation, issued by United States Citizenship and Immigration Services, authorizing the person's presence in this country.

(a-5) The Secretary of State may issue a temporary visitor's driver's license to an applicant who (i) has resided in this State for a period in excess of one year, (ii) is ineligible to obtain a social security number, and (iii) is unable to present documentation issued by the United States Citizenship and Immigration Services authorizing the person's presence in this country. The applicant shall submit a valid unexpired passport from the applicant's country of citizenship

or a valid unexpired consular identification document issued by a consulate of that country as defined in Section 5 of the Consular Identification Document Act (5 ILCS 230/5).

(a-10) Applicants for a temporary visitor's driver's license who are under 18 years of age at the time of application shall be subject to the provisions of Sections 6-107 and 6-108 of this Code.

(b) A temporary visitor's driver's license issued under subsection (a) is valid for 3 years, or for the period of time the individual is authorized to remain in this country, whichever ends sooner. A temporary visitor's driver's license issued under subsection (a-5) shall be valid for a period of 3 years.

(b-5) A temporary visitor's driver's license issued under this Section may not be accepted for proof of the holder's identity. A temporary visitor's driver's license issued under this Section shall contain a notice on its face, in capitalized letters, stating that the temporary visitor's driver's license may not be accepted for proof of identity.

(c) The Secretary shall adopt rules for implementing this Section, including rules:

(1) regarding the design and content of the temporary visitor's driver's license;

(2) establishing criteria for proof of identification and residency of an individual applying under subsection (a-5);

(3) designating acceptable evidence that an applicant is not eligible for a social security number; and

(4) regarding the issuance of temporary visitor's instruction permits.

(d) Any person to whom the Secretary of State may issue a temporary visitor's driver's license shall be subject to any and all provisions of this Code and any and all implementing regulations issued by the Secretary of State to the same extent as any person issued a driver's license, unless otherwise provided in this Code or by administrative rule, including but not limited to the examination requirements in Section 6-109 as well as the mandatory insurance requirements and penalties set

forth in Article VI of Chapter 7 of this Code.

(d-5) A temporary visitor's driver's license is invalid if the holder is unable to provide proof of liability insurance as required by Section 7-601 of this Code upon the request of a law enforcement officer, in which case the holder commits a violation of Section 6-101 of this Code.

(e) Temporary visitor's driver's licenses shall be issued from a central location after the Secretary of State has verified the information provided by the applicant.

(f) There is created in the State treasury a special fund to be known as the Driver Services Administration Fund. All fees collected for the issuance of temporary visitor's driver's licenses shall be deposited into the Fund. These funds shall, subject to appropriation, be used by the Office of the Secretary of State for costs related to the issuance of temporary visitor's driver's licenses, and other operational costs, including personnel, facilities, computer programming, and data transmission.

(Source: P.A. 93-752, eff. 1-1-05.)

(625 ILCS 5/6-601) (from Ch. 95 1/2, par. 6-601)

Sec. 6-601. Penalties.

(a) It is a petty offense for any person to violate any of the provisions of this Chapter unless such violation is by this Code or other law of this State declared to be a misdemeanor or a felony.

(b) General penalties. Unless another penalty is in this Code or other laws of this State, every person convicted of a petty offense for the violation of any provision of this Chapter shall be punished by a fine of not more than \$500.

(c) Unlicensed driving. Except as hereinafter provided a violation of Section 6-101 shall be:

1. A Class A misdemeanor if the person failed to obtain a driver's license or permit after expiration of a period of revocation.

2. A Class B misdemeanor if the person has been issued a driver's license or permit, which has expired, and if the period of expiration is greater than one year; or if the

person has never been issued a driver's license or permit, or is not qualified to obtain a driver's license or permit because of his age.

3. A petty offense if the person has been issued a temporary visitor's driver's license or permit and is unable to provide proof of liability insurance as provided in subsection (d-5) of Section 6-105.1.

If a licensee under this Code is convicted of violating Section 6-303 for operating a motor vehicle during a time when such licensee's driver's license was suspended under the provisions of Section 6-306.3, then such act shall be a petty offense (provided the licensee has answered the charge which was the basis of the suspension under Section 6-306.3), and there shall be imposed no additional like period of suspension as provided in paragraph (b) of Section 6-303.

(Source: P.A. 96-607, eff. 8-24-09.)

Section 15. The Consular Identification Document Act is amended by changing Section 10 as follows:

(5 ILCS 230/10)

Sec. 10. Acceptance of consular identification document.

(a) When requiring members of the public to provide identification, each State agency and officer and unit of local government shall accept a consular identification document as valid identification of a person.

(b) A consular identification document shall be accepted for purposes of identification only and does not convey an independent right to receive benefits of any type.

(c) A consular identification document may not be accepted as identification for obtaining a driver's license, other than a temporary visitor's driver's license, or registering to vote.

(d) A consular identification document does not establish or indicate lawful U.S. immigration status and may not be viewed as valid for that purpose, nor does a consular identification document establish a foreign national's right to be in the United States or remain in the United States.

(e) The requirements of subsection (a) do not apply if:

(1) a federal law, regulation, or directive or a federal court decision requires a State agency or officer or a unit of local government to obtain different identification;

(2) a federal law, regulation, or directive preempts state regulation of identification requirements; or

(3) a State agency or officer or a unit of local government would be unable to comply with a condition imposed by a funding source which would cause the State agency or officer or unit of local government to lose funds from that source.

(f) Nothing in subsection (a) shall be construed to prohibit a State agency or officer or a unit of local government from:

(1) requiring additional information from persons in order to verify a current address or other facts that would enable the State agency or officer or unit of local government to fulfill its responsibilities, except that this paragraph (1) does not permit a State agency or officer or a unit of local government to require additional information solely in order to establish identification of the person when the consular identification document is the form of identification presented;

(2) requiring fingerprints for identification purposes under circumstances where the State agency or officer or unit of local government also requires fingerprints from persons who have a driver's license or Illinois Identification Card; or

(3) requiring additional evidence of identification if the State agency or officer or unit of local government reasonably believes that: (A) the consular identification document is forged, fraudulent, or altered; or (B) the holder does not appear to be the same person on the consular identification document.

(Source: P.A. 94-389, eff. 1-1-06.)

Section 99. Effective date. This Act takes effect 10 months after becoming law.

Resources for the Legal Professional

ABA Center for Professional Responsibility - www.abanet.org/cpr

Chicago Bar Association - www.chicagobar.org

Commission on Professionalism - www.2civility.org

Judicial Inquiry Board - <http://www.illinois.gov/jib>

Illinois Board of Admissions to the Bar - www.ilbaradmissions.org

Illinois Department of Financial and Professional Regulation - www.idfpr.com/default.asp

Illinois Lawyers' Assistance Program, Inc - www.illinoislap.org

Illinois State Bar Association - www.isba.org

Illinois Supreme Court - www.state.il.us/court

Lawyers Trust Fund of Illinois - www.ltf.org

MCLE Program - www.mcleboard.org

Additional Resources Specific to this Course

State of Illinois TVDL Quick Guide – www.cyberdriveillinois.com (See Attached)

State of Illinois TVDL Program Power Point - www.cyberdriveillinois.com (See Attached)

TVDL FACILITY LOCATIONS Downstate

Beardstown
103 W. 15th Street
Beardstown, IL 62618

Bethalto
20 Terminal Dr., Ste. 103
Bethalto, IL 62024

Bloomington
1510 W. Market St.
Bloomington, IL 61701

Bradley
1111 Blatt Blvd.,
Bradley, IL 60915

Carbondale
2516 W. Murphysboro Rd.
Carbondale, IL 62901

DeKalb
1360 Oakwood St.
DeKalb, IL 60115

Edwardsville
1502A Troy Rd.
Edwardsville, IL 62025

Granite City
1810 Edison
Granite City, IL 62040

Macomb
466 Deer Rd.
Macomb, IL 61455

Moline / Silvis
2001 Fifth St., Ste. 10
Silvis, IL 61282

Morris
425 E. Route 6
Morris, IL 60450

Ottawa
404 Stevenson Road
Ottawa, IL 61350

Peoria
3311 N. Sterling Ave, #12
Peoria, IL 61604

Princeton
225 Backbone Road E.
Princeton, IL 61356

Rockford Central
3720 E. State St.
Rockford, IL 61108

Springfield
2701 S. Dirksen Pkwy.
Springfield, IL 62723

Tilton
#5 Southgate
Tilton, IL 61833

TVDL FACILITY LOCATIONS Chicago Metro Area

Aurora
339 E. Indian Trail
Aurora, IL 60505

Bridgeview
7358 W. 87th St.
Bridgeview, IL 60455

Chicago Heights
570 W. 209th Street
Chicago Heights, IL 60411

Chicago North
5401 N. Elston Ave.
Chicago, IL 60630

Chicago South
9901 S. Dr. Martin Luther
King Jr. Dr.
Chicago, IL 60628

Chicago West
5301 W. Lexington St.
Chicago, IL 60644

Deerfield
405 W. Lake Cook Rd A6-9
Deerfield, IL 60015

Des Plaines
1470 Lee Street
Des Plaines, IL 60018

Elgin
595 S. State
Elgin, IL 60123

Joliet
201 S. Joyce Rd.
Joliet, IL 60435

Lake Zurich
951 S. Rand Rd.
Lake Zurich, IL 60047

Lombard
837 S. Westmore B27
Lombard, IL 60148

Melrose Park
1903 N. Mannheim Rd.
Melrose Park, IL 60160

Midlothian
14434 S. Pulaski,
Midlothian, IL 60445

Naperville
931 W. 75th St.
Ste. 161
Naperville, IL 60565

Schaumburg
1227 E. Golf Rd
Schaumburg, IL 60173

Waukegan
617 S. Green Bay Rd.
Waukegan, IL 60085

Woodstock
428 S. Eastwood Dr.
Woodstock, IL 60098

To make an appointment at Chicago North or Chicago West facilities:

Go online: www.cyberdriveillinois.com

FOR QUESTIONS ABOUT THE TVDL PROGRAM OR TO CHECK THE STATUS OF YOUR APPLICATION:

855-212-2687

TVDL



Temporary Visitor Driver's License

WWW.CYBERDRIVEILLINOIS.COM

JESSE WHITE
SECRETARY OF STATE

All TVDL facilities, except Chicago North and Chicago West locations, process TVDL applicants without an appointment. TVDL processing will NOT be available on Saturdays. To make an appointment at Chicago North or Chicago West, visit:

WWW.CYBERDRIVEILLINOIS.COM

GENERAL INFORMATION

Under Public Act 97-1157, non-visa status individuals who cannot obtain a Social Security card may apply for a TVDL.

General information about the new TVDL program for non-visa status individuals:

- TVDL may be used for driving purposes only, not valid for identification.
- TVDL valid for three years.
- Applications accepted at designated facilities only.
- Appointments are only required at Chicago North and Chicago West facilities.
- TVDL will be printed and mailed to the applicant after the application is verified.
- Applicants will receive a 90-day temporary driving credential.
- TVDLs only available for driver's license class D, L, or M (car or motorcycle).
- Applicants may bring an interpreter to assist with the application process.
- Fee to apply for TVDL is \$30 (+ \$5 for motorcycle).
- Applicants required to complete a Verification of Residency Form.
- Applicants required to pass the vision, written and road exams.
- Illinois TVDL may not be accepted for driving in other states.
- TVDL only valid if driver has current liability insurance.

REQUIRED DOCUMENTS (No photocopies accepted.)

NAME AND DATE OF BIRTH

Provide one document.

- Unexpired Foreign Passport
- Consular Card (issued by an approved country)

WRITTEN SIGNATURE

Provide one document.

- Unexpired Foreign Passport
- Consular Card (issued by an approved country)
- Cooperative Driver Certificate (HS Driver Ed)
- Court Order
- Credit Card — American Express, Diners Club, Discover, MasterCard or Visa
- U.S. Federal, State or Local Government ID Card
- Mortgage/Installment Loan Agreement
- Current Out-of-State Driver's License/ID Card
- Mexican Electoral Card

12-MONTH RESIDENCY

Provide one document.

For this category, all documents must be dated at least 12 months prior to application date.

- Certified School Transcripts
- Bank Statement
- Deed/Title, Mortgage, Rental/Lease Agreement
- Insurance Policy (Homeowners or Renters)
- Medical Claim or Statement of Benefits from private insurance company or government agency
- Official Mail received from a state, county, city, village or a federal agency that includes first and last name of the applicant and complete current address
- Homestead Exemption Receipt
- Pension or Retirement Statement
- Report Card from grade/high school, college or university
- Tuition Invoice or other Official Mail (from a college or University)
- Utility Bill — electric, water, trash, telephone, cable or gas

CURRENT ADDRESS

Provide one document.

- Consular Card (issued by an approved country)
- Certified School Transcripts
- Bank Statement issued within the last 90 days
- Credit Report issued by Experian, Equifax, or TransUnion within the last 90 days.
- Deed/Title, Mortgage, Rental/Lease Agreement
- Insurance Policy (Homeowners or Renters)
- Medical Claim or Statement of Benefits from private insurance company or government agency dated within 90 days of application
- Official Mail received from a state, county, city, village or federal agency that includes first and last name of the applicant and complete current address
- Homestead Exemption Receipt
- Pension or Retirement Statement
- Report Card from grade/high school, college or university
- Tuition Invoice or other Official Mail from a college or university dated within 90 days of application
- Utility Bill — electric, water, trash, telephone, cable or gas within 90 days of application
- Selective Service Card
- Other

NAME CHANGE

Provide one document.

If an applicant's name is different than the name on his/her foreign passport or consular card, one of these documents must be provided to link both names.

- Court Order
- Marriage Certificate





Temporary Visitor Driver's License Program (TVDL)





TVDL PROGRAM

PA 97-1157

- PA 97-1157 creates the new Temporary Visitor Driver's License Program.
- The legislation directs the Office of the Illinois Secretary of State to develop procedures for implementing the program.
- The process to issue the new TVDLs began in early December 2013.
- All applicants must provide a valid, unexpired foreign passport or an Illinois State Police-approved Consular Card.
 - Currently Mexico, Guatemala, Brazil, Colombia and Ecuador



TVDL PROGRAM (continued)

- The TVDL is valid for driving purposes only. It is not valid for identification purposes.
- The TVDL will be valid for three years from the date of publication.
- **The TVDL is only valid if the card holder is able to provide proof of liability insurance.**
- The applicant must have resided in the State of Illinois for more than 12 months.
- The TVDL will not be issued in the facility on the day of application. It will be mailed after the application information has been verified.



Applications will only be accepted at these 36 designated Secretary of State facilities:

Aurora	DeKalb	Naperville
Beardstown	Des Plaines	Ottawa
Bethalto	Edwardsville	Peoria
Bloomington	Elgin	Princeton
Bradley	Granite City	Rockford Central
Bridgeview	Joliet	Schaumburg
Carbondale	Lake Zurich	Springfield
Champaign	Lombard	Tilton
Chicago Heights	Macomb	Waukegan
Chicago North	Melrose Park	Woodstock
Chicago South	Midlothian	
Chicago West	Moline/Silvis	
Deerfield	Morris	



APPOINTMENT INFORMATION

All TVDL facilities, except Chicago North and Chicago West locations process TVDLs without an appointment. TVDL processing will NOT be available on Saturdays at ANY facility.

Applicants who wish to apply for a TVDL at Chicago North facility or Chicago West facility must make an appointment by going online to:

WWW.CYBERDRIVEILLINOIS.COM



Required Documents

NAME AND DATE OF BIRTH

Provide one document from this category

By statute, all applicants for a TVDL are required to present one of these two documents:

- **Unexpired Foreign Passport issued by the country of citizenship**
- **Consular Card issued from Mexico, Guatemala, Brazil, Colombia or Ecuador (or other country approved by the Illinois State Police)**



Required Documents

WRITTEN SIGNATURE

Provide one document from this category

- Unexpired Foreign Passport
- Consular Card
- Cooperative Driver Certificate (High School Driver Education)
- Court Order
- Credit Card—Major Brand
- U.S. Federal, State or Local Government ID Card
- Mortgage/Installment Loan Agreement
- Current Out-of-State Driver's License or ID Card
- Mexican Electoral Card



Required Documents CURRENT ADDRESS

Provide **two** documents from this category
issued **within 90 days** of TVDL application date.

- Consular Card (From Illinois State Police-approved country)*
- Deed/Title, Mortgage, Rental/Lease Agreement
- Utility Bill (electric, water, trash, telephone, cable or gas)
- Insurance Policy (Homeowner's or Renter's)
- Bank Statement
- Medical Claim or Statement of Benefits (From private insurance company or government agency)
- Credit Report (Experian, Equifax or TransUnion)

* If the Consular Card is used in this category, it CANNOT also be used for 12 month residency category.



Required Documents

CURRENT ADDRESS

(continued)

- **Official Mail (Received from a state, county, city, village or federal agency that includes first and last name and full address)**
- **Homestead Exemption Receipt**
- **Pension or Retirement Statement**
- **Report Card (From grade/high school, college or university)**
- **Tuition Invoice or Other Official Mail (From a college or university)**
- **Certified School Transcripts**
- **Selective Service Card**



Required Documents

12-MONTH RESIDENCY

Provide **one** document from this category issued
at least 12 months prior to TVDL application date.

- Consular Card (From Illinois State Police-approved country)*
- Utility Bill (electric, water, trash, telephone, cable or gas)
- Bank Statement
- Insurance Policy (Homeowner's or Renter's)
- Deed/Title, Mortgage, Rental/Lease Agreement
- Medical Claim or Statement of Benefits (From private insurance company or government agency)
- Official Mail (Received from a state, county, city, village or federal agency that includes first and last name and full address)
- Homestead Exemption Receipt

*If the Consular Card is used in this category, it CANNOT also be used for current residency category.



Required Documents 12-MONTH RESIDENCY (continued)

- Pension or Retirement Statement
- Report Card (From grade/high school, college or university)
- Tuition Invoice or Other Official Mail (From college or university)
- Certified School Transcripts



Required Documents NAME CHANGE

Provide **one** document from this category if applicant's name is different than the name on the passport or Consular Card.

- Court Order
- Marriage Certificate

The document provided must show the link between both names.



VERIFICATION OF RESIDENCY FORM

- First-time applicants for a TVDL will be required to complete a Verification of Residency Form available at:

WWW.CYBERDRIVEILLINOIS.COM

- The form requires applicants to complete a 12-month address history.



FACILITY APPLICATION PROCESS

- Facility employee will check to make sure the applicant has all the required documents with them.
- Applicant will be given a number and asked to wait until called to the counter.
- Counter employee will carefully review each document and enter the applicant's information into the computer.
- Applicant will take the vision test.



FACILITY APPLICATION PROCESS (continued)

- Applicant will pay \$30 fee (+ \$5 for motorcycle)
- Applicant will take the written driver's test.
- Applicant will take the road test.
- The employee and the applicant will sign the application form.
- All the applicant's documents, including the application form, will be scanned.
- The applicant's picture and signature will be captured.



FACILITY APPLICATION PROCESS (continued)

- The applicant will be given a receipt. (Not to be used as authorization to drive)
- After all the information on the application has been verified, the TVDL will be printed and mailed to the applicant's home address.



VERIFICATIONS

- The information on the application will be verified by Secretary of State staff.
- If the application is approved, the TVDL will be printed and mailed. Most applicants will receive their TVDL within 15-20 business days.
- If the application is not approved, the applicant will receive a denial letter with general information about the denial. The letter will include the telephone number (855) 212-2687 to call to find out what can be done to resolve the problem so the applicant can apply again.



UPON RECEIPT OF A TVDL

- Per statute, a TVDL is only valid as long as the holder's liability insurance is maintained.
- A TVDL is for driving privileges only and cannot be used for identification purposes.
- A TVDL may not be accepted for driving in other states. TVDL holders traveling to other states should check with those states' Department of Motor Vehicles first.
- TVDL holders who need to re-apply for a new TVDL up to 90 days prior to the expiration date must visit a TVDL facility.



UPON RECEIPT OF A TVDL (continued)

- TVDL holders who need to change any information on their TVDL must visit a TVDL facility.
- A lost TVDL will require the holder to apply for a duplicate TVDL by visiting one of the 36 TVDL facilities without an appointment. The expiration date will be the same as the original card and no information can be changed. The facility will capture a new photo and signature. The new card will be mailed to the applicant's address within 15-20 days.



Keep in Mind

- There is no charge for testing materials.
- Copies of the Rules of the Road are available for free at:

WWW.CYBERDRIVEILLINOIS.COM

- The Secretary of State does not endorse any particular driving schools, nor do they require proof of graduation from a driver's school (*excluding those under the age of 21).



FAQs



Q — In the past I obtained a driver's license under a false Social Security number. Can I still apply for a TVDL?

A — *A TVDL applicant will be treated as any other applicant who has obtained a driver's license with false information. The applicant should first contact the Secretary of State's Fraud Division at 217-782-7604 to report the fraudulent driver's license. You will then schedule a time to come in for an interview with the Secretary of State Police, so they can begin to establish your identity and merge your driving records. At that time, a 12-month fraud suspension will be entered. Upon conclusion of the suspension and payment of a reinstatement fee, the person may then apply for a TVDL.*



FAQs



Q — I have a DUI or I have had one in the past. Can I still apply for a TVDL?

A — *When a person is arrested for DUI, he or she is typically asked to submit to a breath/blood/urine test. If the person refuses the test(s) or if a test discloses a Blood-Alcohol Content of .08 or more or drugs, a driving record is created and a statutory summary suspension is entered on the person's driving record. The person must serve the entire suspension period and pay a reinstatement fee before applying for a TVDL. In addition, if the person is convicted of a DUI, a revocation is added to the driving record. The person must have an administrative hearing to seek reinstatement prior to applying for a TVDL.*

Answer continued on the next slide



FAQs



If reinstatement is granted, a reinstatement fee is required and SR22 liability insurance must be filed before the revocation is cleared. Once the revocation is cleared, the person may apply for a TVDL.



FAQs

Q — *Is the Secretary of State's office able to provide any assurances that TVDL applicant information will not be shared with federal immigration authorities?*

A — *The Secretary of State's office has no plans to provide information to federal immigration authorities (or any other agency) without a request. However, should the office receive a legally valid request from a federal agency (or any other governmental agency) for information regarding undocumented TVDLs, such information will be provided to the requesting agency. Please note that the personal information of TVDL holders, such as name and address, are protected by the federal Driver's Privacy Protection Act and will only be disclosed in compliance with that Act.*



FAQs

Q — Do I need insurance before or after I apply for a TVDL?

A — *An applicant must show proof of insurance for the vehicle he/she uses to complete the road test. This proof of insurance must be shown prior to the road test.*



FAQs



Q — If my TVDL application is denied because of my documents, do I still have to pay the fee?

A — *The fee is paid at the Secretary of State facility upon application for the TVDL. If an applicant fails the verification checks, the fee is not refunded. If the application is not processed because of missing documents, a fee is not charged.*