



*Driver's Licenses: Everything
You Need to Know About
DUIs/Serious Traffic
Offenses and How They
Affect a Client's Illinois
Drivers License*



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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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Course Description

Course Presentation

This course will guide you through the maze of issues and problems that result from your client's DUIs and/or other serious driving offenses and the effect it has on your client's Illinois Driver's License (DL). Illinois is one of the more difficult states when it comes to these issues. It is not only difficult to figure out what exactly will happen with your client's Illinois DL after a DUI or serious traffic offense but what to do to help them regain their driving privileges. This course will first discuss the potential suspensions and/or revocations of your client's DL based on their driving history. It will then cover many different fact scenarios that will help you determine the ramifications of the current offense your client has on their Illinois DL. The course will then discuss the options that your client has to regain the driving privilege after it has been lost and briefly discuss the process used to regain those privileges. This course will also address some issues that come up when an Illinois Driver's License holder gets a DUI in another state.

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

After this course, the Participant will understand the duties, roles and responsibilities of counsel in situations involving a client's Illinois Driver's License after receiving a DUI or serious traffic offense.

After this course, the Participant will learn the following practice tips on how to prepare a client for what will happen to their IL driver's license after a DUI or serious traffic offense.

After this course, the Participant will develop an understanding about IL Sec of State actions taken against a client's driver's license.

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 Quinn

CLE Course Title: Illinois DL's: Everything You Need to Know About DUIs/Serious Traffic Offenses and How They Affect a Client's Illinois Driver's License

Time Format (00:00:00 - Hours: Minutes: Seconds)	Description
00:00:00	ApexCLE Company Credit Introduction
00:00:20	Illinois DL's: Everything You Need to Know About DUIs/Serious Traffic Offenses and How They Affect a Client's Illinois Driver's License
00:00:32	CLE Presenter Introduction
00:05:42	Terms Of Revocation
00:07:11	1st Conviction
00:08:49	2nd Conviction
00:09:40	3rd Conviction
00:12:00	4th Conviction
00:16:21	Elimination of Hard Time
00:22:40	Elimination of Hard Time Continued
00:23:56	Monitoring Device Driving Permit (MDDP)
00:34:20	Revocations (1 year, 5-year, 10 year)
00:37:26	Best Time to Plea
00:39:31	How Revocation Period and Whether Informal or Formal Hearing Required are Determined
00:50:31	Formal Hearing
00:52:52	Five-Year BAID requirement
00:55:21	Must be a Continuous Five-Year Period
01:04:12	Practical Applications
01:13:22	Lifetime Revocation
01:18:20	Key Points
01:30:08	Miscellaneous Issues
01:31:49	CDL's
01:41:59	DSM-V: Evaluators
01:44:00	Common Questions
01:53:45	Medical Marijuanas
01:59:10	Out of State DUI Issues for an Illinois Licensed Driver

02:02:04	Presenter Closing
02:02:56	ApexCLE Company Closing Credits
02:03:03	End of Video

Course Material

Terms Of Revocation:

1st Conviction: 1 Year; hardship requests allowed

2nd Conviction: Within 20 years of last conviction; 5 Years; hardship requests allowed

3rd Conviction: Within lifetime; 10 Years; hardship requests allowed

4th Conviction: Within lifetime; revoked for life; hardship requests allowed if certain requirements have been met.

1. Alcohol and Drug Evaluation Uniform Report prepared by a licensed provider

1. Providers found online at the Division of Substance Use Prevention and Recovery (DSUPR) or from informal hearing officers
2. Classification levels
 - a) Minimal Risk – 1 DUI with a blood alcohol content (BAC) under .15
 - b) Moderate Risk – 1 DUI with a refusal of breathalyzer or BAC .15 to .19
 - c) Significant Risk – 2 DUIs or 1 DUI with .20 BAC or higher or symptoms of a problem
 - d) High Risk
 - i) Dependent – symptoms of alcoholism
 - ii) Non-Dependent – insufficient symptoms for alcoholism but 3 DUIs within 10 years
3. Alcohol Evaluation must be dated within 6 months of the hearing; if not, then a Report Update must also be submitted

2. Treatment documents required for classification level

1. Minimal Risk – Risk Education Certificate (10 hours)
2. Moderate Risk – Risk Education Certificate and documentation of 12 hours of counseling completed

3. Significant Risk – Risk Education Certificate and 20 hours of counseling and 6 months of continuing care documented by Treatment Verification, Treatment Plan, Discharge Summary, Continuing Care (Aftercare) Plan, Continuing Care Status Report
4. High Risk Dependent – inpatient treatment or 75 hours of outpatient counseling with 12 months of continuing care documented by Treatment Verification, Treatment Plan, Discharge Summary, Continuing Care Plan and Continuing Care Status Report
5. High Risk Non-Dependent – 75 hours of outpatient counseling with 12 months of continuing care documented by Treatment Verification, Treatment Plan, Discharge Summary, Continuing Care Plan and Continuing Care Status Report; Further Assessment Ruling Out Dependency

3. Documentation of Abstinence and Support Program for High-Risk Dependent

1. Three (3) Documentation of Abstinence for High-Risk Dependent verifying minimum of 1 year of abstinence
2. Three (3) Documentation of Support Program (AA or NA) for High-Risk Dependent verifying attendance
3. One (1) letter from AA sponsor if applicable
4. Three (3) Documentation of Non-Traditional Support Program (church or other)

THE HEARING

1. Informal hearings

1. Walk-in hearings at designated Secretary of State facilities
2. Role of attorney, client (Petitioner), hearing officer

2. Formal hearings

1. Secretary of State attorney and hearing officer present
2. Attorney and client and interpreter if necessary
3. Formal hearing process
 - a) Opening statement optional
 - b) Introduction of documents

- c) Direct examination, cross examination, redirect examination
 - d) Rules of evidence not strictly applied
 - e) Witness and closing argument optional
4. Burden of proof on Petitioner

POST-HEARING REQUIREMENTS

1. Decision Mailed or Emailed to Attorney and Petitioner within 90 days

2. Denial of Driving Relief

- 1. 90 days for another hearing (30 days for informal)
- 2. Appeal to Circuit Court of Cook, Sangamon, or Jefferson County

3. Approval for Restricted Driving Permit Requirements

- 1. Financial Responsibility Insurance (SR 22)
- 2. Exams at DMV (written, vision, driving)
- 3. Employment Verification, Education Verification, Medical Verification
- 4. Fees
- 5. Medical Report if applicable

4. Issuance of Restricted Driving Permit Requires Reinstatement Hearing

- 1. One-year RDP
- 2. Five-year RDP

5. Approval for License Reinstatement

- 1. Financial Responsibility Insurance for 3 years
- 2. Exams at DMV (written, vision, driving)
- 3. Fees

BREATH ALCOHOL IGNITION INTERLOCK DEVICE (BAIID)

1. Required for Formal Hearing Petitioners

1. One-year RDP
2. Five-year RDP

2. Required Fees and Calibration of Device

3. Violations of BAIID Device

1. Types of violations
 - a) .05 BAC or higher
 - b) Tampering or circumventing the device
2. Request for Explanation of Violation
3. Consequences of unacceptable violations
 - a) Delay of license reinstatement
 - b) Cancellation of permit – can have a formal hearing to contest cancellation

CHANGES TO LAW GOVERNING HEARINGS

1. Five-year permit with BAIID device for 2 or More DUI Convictions

2. Lifetime Revocation (4 or More DUI Convictions) – eligible for a lifetime BAIID permit after 5 years from last revocation or prison release date; must have at least 3 years of abstinence

3. No Waiting Periods Before Eligible for a Hearing

4. Elimination of Hard Time

625 ILCS 5/6-106. 1a

625 ILCS 5/6-206.1 from Ch. 95 1/2, par. 6-206.1

625 ILCS 5/6-208.1 from Ch. 95 1/2, par. 6-208.1

625 ILCS 5/6-517 from Ch. 95 1/2, par. 6-517

625 ILCS 5/11-501.1

625 ILCS 5/11-501.6 from Ch. 95 1/2, par. 11-501.6

625 ILCS 5/11-501.8

Provides that a person requested to submit to a chemical test or tests of blood, breath, or urine for the purpose of determining the alcohol content or drug content of the person's blood, shall also acknowledge, in writing, receipt of the warning that a refusal to submit to the test, or submission to the test resulting in an alcohol concentration or drug content in violation of the Code, may result in the loss of that person's driving privileges. Provides that if the person refuses to acknowledge receipt of the warning, the law enforcement officer shall make a written notation on the warning that the person refused to sign the warning. Provided that a person's refusal to sign the warning shall not be evidence that the person did not read the warning. Deletes driving while driver's license, permit, or privilege to operate a vehicle is suspended or revoked from the restricted driving permit with required interlock provision. Deletes one year waiting period for the Secretary of State to issue a restricted driving permit to any person whose current revocation is the result of a second or subsequent conviction for a violation of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, or a similar provision of a local ordinance or any similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense. Allows a monitoring device driving permit (MDDP) to become effective prior to the 31st day of the original statutory summary suspension. Allows the Secretary to issue a restricted driving permit following a statutory summary suspension of driving privileges for violation of implied consent provisions when the person was not a first offender. *Doe v. Edgar*, 721 F.2d 619 (7th Cir. 1983); *People v. Kerr*, 196 Ill.App.3d 207, 552 N.E.2d 1329 (1990).

Key points:

- 1) Eliminates 30-day hard time for first offender summary suspension. MDDP can cover the entire suspension period.
- 2) Eliminates 1 year & 3-year hard time for second offender summary suspension-formal hearing required.
- 3) Eliminates 1-year hard time for 5 year & 10-year multiple offender revocations.
- 4) Minor changes to the “warning to motorist”
 - a) Officer to put written notation on warning if person refuses to sign.
- 5) BAIID is required if a person's driver's license is suspended or revoked for two separate DUI related incidents.

Practical Applications:

- 1) MDDP-complete and submit forms as soon as possible so permit arrives prior to suspension date. If a client has not received a permit prior to that date they cannot drive. However, if the suspension is rescinded no fees to the Secretary of State are refundable. *People v. McPeak*, 2012 IL App (2d) 110557 979 N.E.2d 560 (2012).
- 2) Applying for and receiving RDP when client has second offender summary suspension.
 - a) Formal hearing required
 - b) Completion of primary treatment required
 - c) Adequate time period elapsed to indicate lifestyle changes. (3 months)
 - d) Time frame issue
 - 1) 2 month wait for formal hearing
 - 2) 6-8 week wait for result (state has 90 days to respond)
 - 3) 2-4 weeks to receive RDP
 - 4) 3-month wait to show adequate lifestyle changes
 - 5) Total time 3 months plus 2 months plus 1 month = 6 months

*Does not really help 1 year suspended clients.
- 3) Revocations (1 year, 5-year, 10 year)
 - a) Informal hearing/Formal hearing required
 - b) Completion of primary treatment required
 - c) There is no longer a 1-year hard time when revoked for a 5 year or 10-year period.
 - d) Time Frame

- 1) Time period for lifestyle changes. Either 6 months or 12 months depending on history and DUI's (Different than if seeking permit while on Statutory Summary Suspension). *People v. Ehley*, 381 Ill.App.3d 937 887 N.E.2d 772 (2008).
- 2) Best time to plea
 - a) If the client is eligible for informal hearing, then looking at 6 months lifestyle change so, please at about month 4-5. (Unless IID-then need 1 year of abstinence and 1 year of support)
 - b) If the client is only eligible for formal hearing, then a plea at month 9-10 would be ideal.
- e) How revocation period and whether informal or formal hearing required are determined.
 - 1) If one DUI conviction only or two convictions coming outside 20 years then 1 year revocation. (Not consistent with 5-year BAID rule)
 - 2) If two convictions within a 20 year period then a 5-year revocation.
 - 3) If three convictions in lifetime then a 10 year revocation.
 - 4) If four or more convictions in lifetime then lifetime revocation-still will have an opportunity for hardship RDP.
 - 5) Informal Hearing-if only one incident resulted in a stop (suspension/revocation) on client's driver's license and the client did not have MDDP canceled due to revocation of driver's license after a plea. (Be careful on this one-if client is still on suspension and has MDDP and never lost DL on 1st DUI and you plead them guilty and their MDDP is canceled they will be required to have a FHG and a BAID while on their RDP.)
 - 6) Formal Hearing
 - a) If client has had a stop on two separate alcohol related driving violations (i.e., first DUI statutory suspension and court supervision and second DUI statutory suspension and/or conviction)
 - b) If client otherwise eligible for informal hearing but had MDDP canceled prior to its

expiration (i.e., Client had 2004 DUI and suspension rescinded and court supervision then no loss of privileges. Second DUI occurred in May 2015 and MDDP runs from June 2015 to June 2016. Client pleads guilty in September 2015 and conviction is sent to the Secretary of State in October 2015 and revocation entered. MDDP will be cancelled and client must have formal hearing and BAID while on permit)

Five-Year BAID requirement

625 ILCS 5/6-205

625 ILCS 5/6-208

from Ch. 95 1/2, par. 6-208

625 ILCS 5/11-501.01

Provides that the Secretary of State shall require the use of ignition interlock devices for a period not less than 5 **consecutive** years on all vehicles owned by a person who has been convicted of a second or subsequent offense of driving under the influence of alcohol, other drugs, intoxicating compounds, or any combination. Provides that a person convicted of a second or subsequent violation of driving under the influence of alcohol, other drugs, intoxicating compounds, or any combination, or where the use of alcohol or other drugs is recited as an element of an offense, may not make application for a driver's license until he or she has first been issued a restricted driving permit by the Secretary, and the expiration of a **continuous period** of not less than 5 years following the issuance of the restricted driving permit without suspension, cancellation, or revocation of the permit, or violation of a regulation requiring use of an ignition interlock device.

Key points:

- 1) Any person convicted of two or more DUI's must complete 5 years on RDP with BAID before full reinstatement will be granted regardless of when these DUI's occurred.
- 2) The Secretary of State is applying it retroactively.
- 3) **Must be a continuous five-year period.**

- 4) Formal hearing required
- 5) Completion of primary treatment required.
- 6) If the permit is cancelled at any time prior to the end of the 5 year period the client must complete another 5 year period.
- 7) Does not matter whether the person is eligible for full reinstatement they still must have 5 years on RDP and BAIID. (Does not apply to people who live out of state-they can seek clearance of their Illinois hold once they reach their eligibility date.)

Practical Applications:

- 1) Regardless of when the last DUI occurred (i.e., 1996) the person will be required to have a 5 year period of RDP and BAIID.
 - a) Only people exempted from this are people who had petitioned for or been on a permit prior to January 1, 2016 and have not received a DUI after being placed on a permit.
- 2) Does not matter if a 5 year or 10 year revocation period has passed, a person will still be required to have RDP and BAIID for 5 years.
- 3) Person must renew the permit every two years for a 5 year period.
- 4) If the person has no basis for permit (i.e., retired) then the state will issue a permit for 5 out of 7 days a week allowing for driving for any reason for the 5 days and no driving for the other 2 days with a BAIID device in the vehicle at all times. Maximum 8 hours per day.
- 5) A BAIID device must be installed on all cars registered or co-registered in the revoked person's name.
- 6) This law does not apply to people living out of state (see above).
- 7) If RDP is canceled for any reason (i.e. conviction of traffic violation while on permit or positive BAIID results-when explanation not accepted by Secretary of State BAIID unit, client lets permit expire) that person will be required to complete the entire 5 year period again regardless of how long they were successfully on permit (i.e. if person has been on permit for 4 years 6 months and gets his permit canceled he will have to start at day (0) and gets no credit for the 4 years and 6 months).

Lifetime Revocation

625 ILCS 5/6-205

625 ILCS 5/6-206

Provides a person with a revoked driver's license, who is ineligible for restoration of the license because of certain prior violations including a 4th or subsequent DUI, may apply for a restricted driving permit 5 years after revocation or release from imprisonment, whichever is later. To be eligible for the restricted driving permit the person must at a minimum, show by clear and convincing evidence at least 3 years of abstinence from alcohol and illegal drugs and successful completion of rehabilitative treatment. Any restricted driving permit issued to such a person must require operation of a vehicle equipped with an ignition interlock device. Provided the person shall not be eligible for a restricted driving permit if convicted of more than one violation of driving under the influence of drugs or an intoxicating compound. If the person issued a restricted driving permit is subsequently convicted of driving under the influence, the permit is revoked and he or she is permanently banned from acquiring a restricted driving permit. Allows a nonresident, who is ineligible for restoration of a license because of certain prior violations, to seek restoration of the license 10 years from the date of revocation. Makes it a Class 4 felony for a person with a restricted driving permit that requires operation of a vehicle with an ignition interlock device to operate a vehicle without one.

Key points:

- 1) Only affects people who have had 4 or more convictions for DUI with one conviction occurring after 01/01/1999.
- 2) Does not apply to people who have received 4 or more convictions and two of them were drug related DUI's. (Those clients are not allowed the opportunity to get an RDP or Clearance of their Illinois hold.)
- 3) Periods of ineligibility are different for in-state and out of state persons.
- 4) In-state persons must wait 5 years from revocation or release from incarceration, whichever is later.
- 5) Out-of-state persons must wait 10 years from the last DUI related revocation (in some circumstances may require 10 years from the date of release from incarceration-whichever is later).
- 6) All persons must prove completion of treatment and 3 years abstinence.
- 7) In-state persons must stay on permit/BAIID for as long as they reside in Illinois.

- 8) Out of state persons can have Illinois revocation cleared so they can obtain a driver's license from the state in which they reside.
- 9) If a person gets another DUI conviction after being issued an RDP under this provision, they will be banned from seeking relief in the future.
- 10) If a person is driving without a BAID while on permit then Class 4 felony.

Practical Applications:

- 1) There is no maximum number of DUI's that would make a person ineligible for relief.
- 2) If an out of state person comes back to Illinois after receiving clearance in Illinois and obtaining an out of state driver's license, they must have a formal hearing and will be issued a RDP and BAID device for as long as they reside in Illinois.
- 3) Formal hearing required.
- 4) The 5-year rule that refers to release date from jail is DUI specific. They are only referring to the incarceration served for the last DUI not any subsequent incarcerations for other incidents (i.e.; DWLR).

Miscellaneous Issues:

- 1) Persons with CDL's that have (A) or (B) classifications cannot operate a CDL vehicle while on an RDP. Class (C) classifications are fine.
- 2) If a person has a BAID violation above a certain BAC they will be sent a letter requiring an explanation.
 - a) If on MDDP at the time they could receive extension of suspension.
 - b) If on RDP and not Level IID it will be noted on their file and must be addressed at the next hearing.
 - c) If on RDP and Level III or Level III and is currently abstinent, their permit will be canceled and they must wait a year if Level IID or 90 days, if Level III with abstinence, before having another hearing requesting relief.

DSM-V: Evaluators

- 1) Gives evaluators flexibility in regards to classifications.
- 2) Abuse & dependency symptoms are now combined into one list.
- 3) Person must show 4 symptoms to be considered dependent.

- 4) Does not change the classification system. Still have I, IIM, IIS, IIIND & IIID
- 5) Does not change the hours required to satisfy each classification.

Common Questions:

1. Can a person under the age of 18 get a permit: No. A petitioner must be at least 18 years of age before they can request a permit.
2. If a person moves to another State, can they get a DL in that other State: Only if they have cleared their revocation in Illinois through the hearing process or an "Out-of-State Packet" (not recommended).
3. Can a person go to a hearing while they have a pending traffic ticket in court (i.e.; DWLR): No. This has happened quite often when an attorney refers a client to me in order to clear up their revocation or suspension because the client has a pending DLWR or DWLS. This is not allowed. All traffic violations must have a disposition before a hearing can be conducted.
4. How long must a person wait after getting a DWLR or DWLS before the Sec of State will consider granting relief: This used to be a big issue. Until the last couple of years if a person needed a FHG the State would not even consider granting any relief until it had been 1 year from the date of the incident regardless whether the client was granted supervision or given a conviction. Now the State is leaving that to the discretion of the formal hearing officer. I find that at least 3-6 months from the incident is necessary for them to consider it. May differ depending on the client's overall record.
5. Underage Drinking: There really is no driving relief if your client is suspended for underage drinking. Even if it is a year suspension the process to get a permit can take up to 3-5 months from start to actually getting RDP. Most underage clients do not have jobs that pay enough to pay the expenses to get an RDP (i.e.; lawyer, treatment etc.).
6. How does leaving the scene of an accident affect a person's DL: If convicted they will be revoked. If this is their first loss of license then they can have an Informal Hearing. If they had already lost their DL to a previous Summary Suspension or a DUI conviction then they will be required to have a Formal Hearing.

MULTIPLE DWLS or DWLRs:

When suspension or revocation is based on DUI or leaving the scene of a motor vehicle accident involving personal injury or death.

1st Conviction: 10 Days Jail or 30 days community service.

2nd Conviction: Class 4 Felony, 30 Days Jail or 300 hours community service.

3rd Conviction: Class 4 Felony, 30 Days Jail (no option for community service).

4th Conviction: Class 4 Felony, 180 Days Jail

Note: The state may now seek forfeiture of the vehicle you were driving (even if it is not yours) upon being arrested for driving while license revoked or suspended when it is based on a DUI, statutory summary suspension or leaving the scene of an accident.

TERMS OF SUSPENSION:

1st Offender: 6 months if blew over .08 BAC; 12 months if you refused to blow or blood. Person may apply for a MDDP which would allow them to drive at any time for any reason as long as the vehicle has a BAID device installed. If caught driving without a BAID machine or without an MDDP Class 4 Felony.

2nd Offender or more: (had prior DUI or statutory summary suspension w/in 5 years) If blew over .08: 1-year suspension; person must have Formal Hearing if requesting driving relief (RDP). If did not blow: 3-year suspension; person must have Formal Hearing if requesting driving relief (RDP);

TERMS OF REVOCATION:

1st Conviction: 1 Year; hardship requests allowed

2nd Conviction: Within 20 years of last conviction; 5 Years; hardship requests allowed

3rd Conviction: Within lifetime; 10 Years; hardship requests allowed

4th Conviction: Within lifetime; revoked for life; hardship requests allowed if certain requirements have been met.

FORMAL HEARINGS:

Required if you have two or more stops on DL for two or more separate DUI/alcohol related offenses.

INFORMAL HEARINGS:

Allowed if a person has only one stop on DL for DUI. Informal hearings are just that, informal, while at formal hearings the secretary state has an attorney representing their office present at the hearing that will cross-examine you.

Out of State DUI Issues for an Illinois Licensed Driver:

- What is the result of a suspension in another state for refusing to blow or blowing over .08
- The effect of a reduced charge of DUI (DWI/OWI)
- The effect of a reduced charge from DUI (DWI/OWI) to careless, negligent or reckless driving
- Will switching our IL DL for another State's DL avoid suspension or revocation of IL DL

Resources

Resources Specific to this Course

625 ILCS 5/6-106 (Application for license or instruction permit.)

625 ILCS 5/6-205 (Mandatory revocation of license or permit; hardship cases.)

625 ILCS 5/6-206 (Discretionary authority to suspend or revoke license or permit; right to a hearing.)625 ILCS 5/6-206.1 (Period of statutory summary alcohol, other drug, or intoxicating compound related suspension or revocation.)

625 ILCS 5/6-208 (Period of suspension - application after revocation.)

625 ILCS 5/6-208.1 (Period of statutory summary alcohol, other drug, or intoxicating compound related suspension or revocation.)

625 ILCS 5/6-303 (Driving while driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked.)

625 ILCS 5/11-501.01 (Additional administrative sanctions.)

625 ILCS 5/11-501.1 (Suspension of driver's license; statutory summary alcohol, other drug or drugs, or intoxicating compound or compounds related suspension or revocation; implied consent.)

625 ILCS 5/11-501.6 (Driver involvement in personal injury or fatal motor vehicle accident; chemical test.)

625 ILCS 5/11-501.8 (Suspension of driver's license; persons under age 21.)

625 ILCS 5/6-517 (Commercial driver; implied consent warnings.)

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

235 ILCS 5/6-16

Section 235 ILCS 5/6-16 - Prohibited sales and possession

(a)

(i) No licensee nor any officer, associate, member, representative, agent, or employee of such licensee shall sell, give, or deliver alcoholic liquor to any person under the age of 21 years or to any intoxicated person, except as provided in Section 6-16.1.

(ii) No express company, common carrier, or contract carrier nor any representative, agent, or employee on behalf of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State shall knowingly give or knowingly deliver to a residential address any shipping container clearly labeled as containing alcoholic liquor and labeled as requiring signature of an adult of at least 21 years of age to any person in this State under the age of 21 years. An express company, common carrier, or contract carrier that carries or transports such alcoholic liquor for delivery within this State shall obtain a signature at the time of delivery acknowledging receipt of the alcoholic liquor by an adult who is at least 21 years of age. At no time while delivering alcoholic beverages within this State may any representative, agent, or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State deliver the alcoholic liquor to a residential address without the acknowledgment of the consignee and without first obtaining a signature at the time of the delivery by an adult who is at least 21 years of age. A signature of a person on file with the express company, common carrier, or contract carrier does not constitute acknowledgement of the consignee. Any express company, common carrier, or contract carrier that transports alcoholic liquor for delivery within this State that violates this item (ii) of this subsection (a) by delivering alcoholic liquor without the acknowledgement of the consignee and without first obtaining a signature at the time of the delivery by an adult who is at least 21 years of age is guilty of a business offense for which the express company, common carrier, or contract carrier that transports alcoholic liquor within this State shall be fined not more than \$1,001 for a first offense, not more than \$5,000 for a second offense, and not more than \$10,000 for a third or subsequent offense. An express company, common carrier, or contract carrier shall be held vicariously liable for the actions of its representatives, agents, or employees. For purposes of this Act, in addition to other methods authorized by law, an express company, common carrier, or contract carrier shall be considered served with process when a representative, agent, or employee alleged to have violated this Act is personally served. Each shipment of alcoholic liquor delivered in violation of this item (ii) of this subsection (a) constitutes a separate offense.

(iii) No person, after purchasing or otherwise obtaining alcoholic liquor, shall sell, give, or deliver such alcoholic liquor to another person under the age of 21 years, except in the performance of a religious ceremony or service. Except as otherwise provided in item (ii), any express company, common carrier, or contract carrier that transports alcoholic liquor within this State that violates the provisions of item (i), (ii), or (iii) of this paragraph of

this subsection (a) is guilty of a Class A misdemeanor and the sentence shall include, but shall not be limited to, a fine of not less than \$500. Any person who violates the provisions of item (iii) of this paragraph of this subsection (a) is guilty of a Class A misdemeanor and the sentence shall include, but shall not be limited to a fine of not less than \$500 for a first offense and not less than \$2,000 for a second or subsequent offense. Any person who knowingly violates the provisions of item (iii) of this paragraph of this subsection (a) is guilty of a Class 4 felony if a death occurs as the result of the violation.

If a licensee or officer, associate, member, representative, agent, or employee of the licensee, or a representative, agent, or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State, is prosecuted under this paragraph of this subsection (a) for selling, giving, or delivering alcoholic liquor to a person under the age of 21 years, the person under 21 years of age who attempted to buy or receive the alcoholic liquor may be prosecuted pursuant to Section 6-20 of this Act, unless the person under 21 years of age was acting under the authority of a law enforcement agency, the Illinois Liquor Control Commission, or a local liquor control commissioner pursuant to a plan or action to investigate, patrol, or conduct any similar enforcement action.

For the purpose of preventing the violation of this Section, any licensee, or his agent or employee, or a representative, agent, or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State, shall refuse to sell, deliver, or serve alcoholic beverages to any person who is unable to produce adequate written evidence of identity and of the fact that he or she is over the age of 21 years, if requested by the licensee, agent, employee, or representative.

Adequate written evidence of age and identity of the person is a document issued by a federal, state, county, or municipal government, or subdivision or agency thereof, including, but not limited to, a motor vehicle operator's license, a registration certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the Armed Forces. Proof that the defendant-licensee, or his employee or agent, or the representative, agent, or employee of the express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State demanded, was shown and reasonably relied upon such written evidence in any transaction forbidden by this Section is an affirmative defense in any criminal prosecution therefor or to any proceedings for the suspension or revocation of any license based thereon. It shall not, however, be an affirmative defense if the agent or employee accepted the written evidence knowing it to be false or fraudulent. If a false or fraudulent Illinois driver's license or Illinois identification card is presented by a person less than 21 years of age to a licensee or the licensee's agent or employee for the purpose of ordering, purchasing, attempting to purchase, or otherwise obtaining or attempting to obtain the serving of any alcoholic beverage, the law enforcement officer or agency investigating the incident shall, upon the conviction of the person who presented the fraudulent license or identification, make a report of the matter to the Secretary of State on a form provided by the Secretary of State.

However, no agent or employee of the licensee or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State shall be disciplined or discharged for selling or furnishing liquor to a person under 21 years of age if the agent or employee demanded and was shown, before furnishing liquor to a person under 21 years of age, adequate written evidence of age and identity of the person issued by a federal, state, county or municipal government, or subdivision or agency thereof, including but not limited to a motor vehicle operator's license, a registration certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the Armed Forces. This paragraph, however, shall not apply if the agent or employee accepted the written evidence knowing it to be false or fraudulent.

Any person who sells, gives, or furnishes to any person under the age of 21 years any false or fraudulent written, printed, or photostatic evidence of the age and identity of such person or who sells, gives or furnishes to any person under the age of 21 years evidence of age and identification of any other person is guilty of a Class A misdemeanor and the person's sentence shall include, but shall not be limited to, a fine of not less than \$500.

Any person under the age of 21 years who presents or offers to any licensee, his agent or employee, any written, printed or photostatic evidence of age and identity that is false, fraudulent, or not actually his or her own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage, who falsely states in writing that he or she is at least 21 years of age when receiving alcoholic liquor from a representative, agent, or employee of an express company, common carrier, or contract carrier, or who has in his or her possession any false or fraudulent written, printed, or photostatic evidence of age and identity, is guilty of a Class A misdemeanor and the person's sentence shall include, but shall not be limited to, the following: a fine of not less than \$500 and at least 25 hours of community service. If possible, any community service shall be performed for an alcohol abuse prevention program.

Any person under the age of 21 years who has any alcoholic beverage in his or her possession on any street or highway or in any public place or in any place open to the public is guilty of a Class A misdemeanor. This Section does not apply to possession by a person under the age of 21 years making a delivery of an alcoholic beverage in pursuance of the order of his or her parent or in pursuance of his or her employment.

(a-1) It is unlawful for any parent or guardian to knowingly permit his or her residence, any other private property under his or her control, or any vehicle, conveyance, or watercraft under his or her control to be used by an invitee of the parent's child or the guardian's ward, if the invitee is under the age of 21, in a manner that constitutes a violation of this Section. A parent or guardian is deemed to have knowingly permitted his or her residence, any other private property under his or her control, or any vehicle, conveyance, or watercraft under his or her control to be used in violation of this Section if he or she knowingly authorizes or permits consumption of alcoholic liquor by underage invitees. Any person who violates this subsection (a-1) is guilty of a Class A misdemeanor and the person's sentence shall include, but shall not be limited to, a fine of not less than \$500. Where a violation of this subsection

(a-1) directly or indirectly results in great bodily harm or death to any person, the person violating this subsection shall be guilty of a Class 4 felony. Nothing in this subsection (a-1) shall be construed to prohibit the giving of alcoholic liquor to a person under the age of 21 years in the performance of a religious ceremony or service in observation of a religious holiday.

For the purposes of this subsection (a-1) where the residence or other property has an owner and a tenant or lessee, the trier of fact may infer that the residence or other property is occupied only by the tenant or lessee.

(b) Except as otherwise provided in this Section whoever violates this Section shall, in addition to other penalties provided for in this Act, be guilty of a Class A misdemeanor.

(c) Any person shall be guilty of a Class A misdemeanor where he or she knowingly authorizes or permits a residence which he or she occupies to be used by an invitee under 21 years of age and:

(1) the person occupying the residence knows that any such person under the age of 21 is in possession of or is consuming any alcoholic beverage; and

(2) the possession or consumption of the alcohol by the person under 21 is not otherwise permitted by this Act.

For the purposes of this subsection (c) where the residence has an owner and a tenant or lessee, the trier of fact may infer that the residence is occupied only by the tenant or lessee. The sentence of any person who violates this subsection (c) shall include, but shall not be limited to, a fine of not less than \$500. Where a violation of this subsection (c) directly or indirectly results in great bodily harm or death to any person, the person violating this subsection (c) shall be guilty of a Class 4 felony. Nothing in this subsection (c) shall be construed to prohibit the giving of alcoholic liquor to a person under the age of 21 years in the performance of a religious ceremony or service in observation of a religious holiday.

A person shall not be in violation of this subsection (c) if (A) he or she requests assistance from the police department or other law enforcement agency to either (i) remove any person who refuses to abide by the person's performance of the duties imposed by this subsection (c) or (ii) terminate the activity because the person has been unable to prevent a person under the age of 21 years from consuming alcohol despite having taken all reasonable steps to do so and (B) this assistance is requested before any other person makes a formal complaint to the police department or other law enforcement agency about the activity.

(d) Any person who rents a hotel or motel room from the proprietor or agent thereof for the purpose of or with the knowledge that such room shall be used for the consumption of alcoholic liquor by persons under the age of 21 years shall be guilty of a Class A misdemeanor.

(e) Except as otherwise provided in this Act, any person who has alcoholic liquor in his or her possession on public school district property on school days or at events on public school district property when children are present is guilty of a petty offense, unless the alcoholic liquor (i) is in the original container with the seal unbroken and is in the possession of a person who is not otherwise legally prohibited from possessing the alcoholic

liquor or (ii) is in the possession of a person in or for the performance of a religious service or ceremony authorized by the school board.

235 ILCS 5/6-16

Amended by P.A. 098-1017, § 5, eff. 1/1/2015.

Amended by P.A. 097-1049, § 5, eff. 12/1/2012.

Amended by P.A. 095-0563, § 5, eff. 8/31/2007.

P.A. 89-250, eff. 1-1-96; 90-355, eff. 8-10-97; 90-432, eff. 1-1-98; 90-655, eff. 7-30-98; 90-739, eff. 8-13-98; 92-503, eff. 1-1-02; 92-507, eff. 1-1-02; revised 1-7-02; 92-651, eff. 7-11-02; 92-687, eff. 1-1-03.

625 ILCS 5/6-205

Section 625 ILCS 5/6-205 - Mandatory revocation of license or permit; Hardship cases

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

1. Reckless homicide resulting from the operation of a motor vehicle;
2. Violation of Section 11-501 of this Code or a similar provision of a local ordinance relating to the offense of operating or being in physical control of a vehicle while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof;
3. Any felony under the laws of any State or the federal government in the commission of which a motor vehicle was used;
4. Violation of Section 11-401 of this Code relating to the offense of leaving the scene of a traffic accident involving death or personal injury;
5. Perjury or the making of a false affidavit or statement under oath to the Secretary of State under this Code or under any other law relating to the ownership or operation of motor vehicles;
6. Conviction upon 3 charges of violation of Section 11-503 of this Code relating to the offense of reckless driving committed within a period of 12 months;
7. Conviction of any offense defined in Section 4-102 of this Code;
8. Violation of Section 11-504 of this Code relating to the offense of drag racing;
9. Violation of Chapters 8 and 9 of this Code;
10. Violation of Section 12-5 of the Criminal Code of 1961 or the Criminal Code of 2012 arising from the use of a motor vehicle;
11. Violation of Section 11-204.1 of this Code relating to aggravated fleeing or attempting to elude a peace officer;
12. Violation of paragraph (1) of subsection (b) of Section 6-507, or a similar law of any other state, relating to the unlawful operation of a commercial motor vehicle;
13. Violation of paragraph (a) of Section 11-502 of this Code or a similar provision of a local ordinance if the driver has been previously convicted of a violation of that Section or a similar provision of a local ordinance and the driver was less than 21 years of age at the time of the offense;

14. Violation of paragraph (a) of Section 11-506 of this Code or a similar provision of a local ordinance relating to the offense of street racing;

15. A second or subsequent conviction of driving while the person's driver's license, permit or privileges was revoked for reckless homicide or a similar out-of-state offense;

16. Any offense against any provision in this Code, or any local ordinance, regulating the movement of traffic when that offense was the proximate cause of the death of any person. Any person whose driving privileges have been revoked pursuant to this paragraph may seek to have the revocation terminated or to have the length of revocation reduced by requesting an administrative hearing with the Secretary of State prior to the projected driver's license application eligibility date;

17. Violation of subsection (a-2) of Section 11-1301.3 of this Code or a similar provision of a local ordinance;

18. A second or subsequent conviction of illegal possession, while operating or in actual physical control, as a driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act. A defendant found guilty of this offense while operating a motor vehicle shall have an entry made in the court record by the presiding judge that this offense did occur while the defendant was operating a motor vehicle and order the clerk of the court to report the violation to the Secretary of State;

19. Violation of subsection (a) of Section 11-1414 of this Code, or a similar provision of a local ordinance, relating to the offense of overtaking or passing of a school bus when the driver, in committing the violation, is involved in a motor vehicle accident that results in death to another and the violation is a proximate cause of the death.

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

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

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

3. Of any person adjudicated under the Juvenile Court Act of 1987 based on an offense determined to have been committed in furtherance of the criminal activities of an organized gang as provided in Section 5-710 of that Act, and that involved the operation or use of a motor vehicle or the use of a driver's license or permit. The revocation shall remain in effect for the period determined by the court.

(c)

(1) Whenever a person is convicted of any of the offenses enumerated in this Section, the court may recommend and the Secretary of State in his discretion, without regard to

whether the recommendation is made by the court may, upon application, issue to the person a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow the petitioner to transport himself or herself or a family member of the petitioner's household to a medical facility for the receipt of necessary medical care or to allow the petitioner to transport himself or herself to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or to allow the petitioner to transport himself or herself or a family member of the petitioner's household to classes, as a student, at an accredited educational institution, or to allow the petitioner to transport children, elderly persons, or persons with disabilities who do not hold driving privileges and are living in the petitioner's household to and from daycare; if the petitioner is able to demonstrate that no alternative means of transportation is reasonably available and that the petitioner will not endanger the public safety or welfare; provided that the Secretary's discretion shall be limited to cases where undue hardship, as defined by the rules of the Secretary of State, would result from a failure to issue the restricted driving permit.

(1.5) A person subject to the provisions of paragraph 4 of subsection (b) of Section 6-208 of this Code may make application for a restricted driving permit at a hearing conducted under Section 2-118 of this Code after the expiration of 5 years from the effective date of the most recent revocation, or after 5 years from the date of release from a period of imprisonment resulting from a conviction of the most recent offense, whichever is later, provided the person, in addition to all other requirements of the Secretary, shows by clear and convincing evidence:

(A) a minimum of 3 years of uninterrupted abstinence from alcohol and the unlawful use or consumption of cannabis under the Cannabis Control Act, a controlled substance under the Illinois Controlled Substances Act, an intoxicating compound under the Use of Intoxicating Compounds Act, or methamphetamine under the Methamphetamine Control and Community Protection Act; and

(B) the successful completion of any rehabilitative treatment and involvement in any ongoing rehabilitative activity that may be recommended by a properly licensed service provider according to an assessment of the person's alcohol or drug use under Section 11-501.01 of this Code.

In determining whether an applicant is eligible for a restricted driving permit under this paragraph (1.5), the Secretary may consider any relevant evidence, including, but not limited to, testimony, affidavits, records, and the results of regular alcohol or drug tests. Persons subject to the provisions of paragraph 4 of subsection (b) of Section 6-208 of this Code and who have been convicted of more than one violation of paragraph (3), paragraph (4), or paragraph (5) of subsection (a) of Section 11-501 of this Code shall not be eligible to apply for a restricted driving permit.

A restricted driving permit issued under this paragraph (1.5) shall provide that the holder may only operate motor vehicles equipped with an ignition interlock device as required under paragraph (2) of subsection (c) of this Section and subparagraph (A) of paragraph 3

of subsection (c) of Section 6-206 of this Code. The Secretary may revoke a restricted driving permit or amend the conditions of a restricted driving permit issued under this paragraph (1.5) if the holder operates a vehicle that is not equipped with an ignition interlock device, or for any other reason authorized under this Code.

A restricted driving permit issued under this paragraph (1.5) shall be revoked, and the holder barred from applying for or being issued a restricted driving permit in the future, if the holder is subsequently convicted of a violation of Section 11-501 of this Code, a similar provision of a local ordinance, or a similar offense in another state.

(2) If a person's license or permit is revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a combination of these offenses, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(3) If:

(A) a person's license or permit is revoked or suspended 2 or more times due to any combination of:

(i) a single conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense; or

(ii) a statutory summary suspension or revocation under Section 11-501.1; or

(iii) a suspension pursuant to Section 6-203.1; arising out of separate occurrences; or

(B) a person has been convicted of one violation of subparagraph (C) or (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide where the use of alcohol or other drugs was recited as an element of the offense, or a similar provision of a law of another state; that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(4) The person issued a permit conditioned on the use of an ignition interlock device must pay to the Secretary of State DUI Administration Fund an amount not to exceed \$30 per month. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(5) If the restricted driving permit is issued for employment purposes, then the prohibition against operating a motor vehicle that is not equipped with an ignition interlock device does not apply to the operation of an occupational vehicle owned or leased by that person's employer when used solely for employment purposes. For any person who,

within a 5-year period, is convicted of a second or subsequent offense under Section 11-501 of this Code, or a similar provision of a local ordinance or similar out-of-state offense, this employment exemption does not apply until either a one-year period has elapsed during which that person had his or her driving privileges revoked or a one-year period has elapsed during which that person had a restricted driving permit which required the use of an ignition interlock device on every motor vehicle owned or operated by that person.

(6) In each case the Secretary of State may issue a restricted driving permit for a period he deems appropriate, except that the permit shall expire no later than 2 years from the date of issuance. A restricted driving permit issued under this Section shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued under this Code may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the petitioner to participate in a designated driver remedial or rehabilitative program. The Secretary of State is authorized to cancel a restricted driving permit if the permit holder does not successfully complete the program. However, if an individual's driving privileges have been revoked in accordance with paragraph 13 of subsection (a) of this Section, no restricted driving permit shall be issued until the individual has served 6 months of the revocation period.

(c-5) (Blank).

(c-6) If a person is convicted of a second violation of operating a motor vehicle while the person's driver's license, permit or privilege was revoked, where the revocation was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide or a similar out-of-state offense, the person's driving privileges shall be revoked pursuant to subdivision (a)(15) of this Section. The person may not make application for a license or permit until the expiration of five years from the effective date of the revocation or the expiration of five years from the date of release from a term of imprisonment, whichever is later.

(c-7) If a person is convicted of a third or subsequent violation of operating a motor vehicle while the person's driver's license, permit or privilege was revoked, where the revocation was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide or a similar out-of-state offense, the person may never apply for a license or permit.

(d)

(1) Whenever a person under the age of 21 is convicted under Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, the Secretary of State shall revoke the driving privileges of that person. One year after the date of revocation, and upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle only between the hours of 5 a.m. and 9 p.m. or as otherwise provided by this Section for a period of one year. After this one-year period, and upon reapplication for a license as provided in Section 6-106, upon payment

of the appropriate reinstatement fee provided under paragraph (b) of Section 6-118, the Secretary of State, in his discretion, may reinstate the petitioner's driver's license and driving privileges, or extend the restricted driving permit as many times as the Secretary of State deems appropriate, by additional periods of not more than 24 months each.

(2) If a person's license or permit is revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a combination of these offenses, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(3) If a person's license or permit is revoked or suspended 2 or more times due to any combination of:

(A) a single conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense; or

(B) a statutory summary suspension or revocation under Section 11-501.1; or

(C) a suspension pursuant to Section 6-203.1; arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(3.5) If a person's license or permit is revoked or suspended due to a conviction for a violation of subparagraph (C) or (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, or a similar provision of a local ordinance or similar out-of-state offense, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(4) The person issued a permit conditioned upon the use of an interlock device must pay to the Secretary of State DUI Administration Fund an amount not to exceed \$30 per month. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(5) If the restricted driving permit is issued for employment purposes, then the prohibition against driving a vehicle that is not equipped with an ignition interlock device does not apply to the operation of an occupational vehicle owned or leased by that person's employer when used solely for employment purposes. For any person who, within a 5-year period, is convicted of a second or subsequent offense under Section 11-501 of this Code, or a similar provision of a local ordinance or similar out-of-state offense, this employment exemption does not apply until either a one-year period has elapsed during which that person had his or her driving privileges revoked or a one-year period has

elapsed during which that person had a restricted driving permit which required the use of an ignition interlock device on every motor vehicle owned or operated by that person.

(6) A restricted driving permit issued under this Section shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued under this Code may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit.

(d-5) The revocation of the license, permit, or driving privileges of a person convicted of a third or subsequent violation of Section 6-303 of this Code committed while his or her driver's license, permit, or privilege was revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state, is permanent. The Secretary may not, at any time, issue a license or permit to that person.

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

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

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

(h) The Secretary of State shall require the use of ignition interlock devices for a period not less than 5 years on all vehicles owned by a person who has been convicted of a second or subsequent offense under Section 11-501 of this Code or a similar provision of a local ordinance. The person must pay to the Secretary of State DUI Administration Fund an amount not to exceed \$30 for each month that he or she uses the device. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system, the amount of the fee, and the procedures, terms, and conditions relating to these fees. During the time period in which a person is required to install an ignition interlock device under this subsection (h), that person shall only operate vehicles in which ignition interlock devices have been installed, except as allowed by subdivision (c)(5) or (d)(5) of this Section.

(i) (Blank).

(j) In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been revoked, suspended, cancelled, or disqualified under any provisions of this Code.

(k) The Secretary of State shall notify by mail any person whose driving privileges have been revoked under paragraph 16 of subsection (a) of this Section that his or her driving privileges and driver's license will be revoked 90 days from the date of the mailing of the notice.

625 ILCS 5/6-205

Amended by P.A. 100-0803, § 5, eff. 1/1/2019.

Amended by P.A. 100-0223, § 5, eff. 8/18/2017.
Amended by P.A. 099-0642, § 525, eff. 7/28/2016.
Amended by P.A. 099-0483, § 20, eff. 1/1/2016.
Amended by P.A. 099-0467, § 5, eff. 1/1/2016.
Amended by P.A. 099-0297, § 5, eff. 1/1/2016.
Amended by P.A. 099-0296, § 5, eff. 1/1/2016.
Amended by P.A. 099-0290, § 5, eff. 1/1/2016.
Amended by P.A. 099-0289, § 5, eff. 8/6/2015.
Amended by P.A. 099-0143, § 865, eff. 7/27/2015.
Amended by P.A. 097-1150, § 575, eff. 1/25/2013.
Amended by P.A. 097-0844, § 5, eff. 1/1/2013.
Amended by P.A. 097-0838, § 5, eff. 1/1/2013.
Amended by P.A. 097-0333, § 525, eff. 8/12/2011.
Amended by P.A. 096-1344, § 5, eff. 7/1/2011.
Amended by P.A. 096-1305, § 5, eff. 1/1/2011.
Amended by P.A. 096-1180, § 5, eff. 1/1/2011.
Amended by P.A. 096-0607, § 5, eff. 8/24/2009.
Amended by P.A. 096-0328, § 320, eff. 8/11/2009.
Amended by P.A. 095-0876, § 300, eff. 8/21/2008.
Amended by P.A. 095-0848, § 5, eff. 1/1/2009.
Amended by P.A. 095-0627, § 5, eff. 6/1/2008.
Amended by P.A. 095-0382, § 5, eff. 8/23/2007.
Amended by P.A. 095-0377, § 5, eff. 1/1/2008.
Amended by P.A. 095-0337, § 5, eff. 6/1/2008.
Amended by P.A. 095-0310, § 10, eff. 1/1/2008.
Amended by P.A. 094-0307, § 5, eff. 9/30/2005.
Amended by P.A. 093-0120, § 5, eff. 1/1/2004.
P.A. 90-369, eff. 1-1-98; 90-590, eff. 1-1-99; 90-611, eff. 1-1-99; 90-779, eff. 1-1-99; 91-357, eff. 7-29-99; 92-248, eff. 8-3-01; 92-418, eff. 8-17-01; 92-651, eff. 7-11-02; 92-834, eff. 8-22-02.

625 ILCS 5/6-206

Section 625 ILCS 5/6-206 - [Text of section from P.A. 101-90] Discretionary authority to suspend or revoke license or permit; Right to a hearing

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

1. Has committed an offense for which mandatory revocation of a driver's license or permit is required upon conviction;
2. Has been convicted of not less than 3 offenses against traffic regulations governing the movement of vehicles committed within any 12 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;
3. Has been repeatedly involved as a driver in motor vehicle collisions or has been repeatedly convicted of offenses against laws and ordinances regulating the movement of traffic, to a degree that indicates lack of ability to exercise ordinary and reasonable care in the safe operation of a motor vehicle or disrespect for the traffic laws and the safety of other persons upon the highway;
4. Has by the unlawful operation of a motor vehicle caused or contributed to an accident resulting in injury requiring immediate professional treatment in a medical facility or doctor's office to any person, except that any suspension or revocation imposed by the Secretary of State under the provisions of this subsection shall start no later than 6 months after being convicted of violating a law or ordinance regulating the movement of traffic, which violation is related to the accident, or shall start not more than one year after the date of the accident, whichever date occurs later;
5. Has permitted an unlawful or fraudulent use of a driver's license, identification card, or permit;
6. Has been lawfully convicted of an offense or offenses in another state, including the authorization contained in Section 6-203.1, which if committed within this State would be grounds for suspension or revocation;
7. Has refused or failed to submit to an examination provided for by Section 6-207 or has failed to pass the examination;
8. Is ineligible for a driver's license or permit under the provisions of Section 6-103;
9. Has made a false statement or knowingly concealed a material fact or has used false information or identification in any application for a license, identification card, or permit;
10. Has possessed, displayed, or attempted to fraudulently use any license, identification card, or permit not issued to the person;

- 11.** Has operated a motor vehicle upon a highway of this State when the person's driving privilege or privilege to obtain a driver's license or permit was revoked or suspended unless the operation was authorized by a monitoring device driving permit, judicial driving permit issued prior to January 1, 2009, probationary license to drive, or a restricted driving permit issued under this Code;
- 12.** Has submitted to any portion of the application process for another person or has obtained the services of another person to submit to any portion of the application process for the purpose of obtaining a license, identification card, or permit for some other person;
- 13.** Has operated a motor vehicle upon a highway of this State when the person's driver's license or permit was invalid under the provisions of Sections 6-107.1 and 6-110;
- 14.** Has committed a violation of Section 6-301, 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or 14B of the Illinois Identification Card Act;
- 15.** Has been convicted of violating Section 21-2 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to criminal trespass to vehicles in which case, the suspension shall be for one year;
- 16.** Has been convicted of violating Section 11-204 of this Code relating to fleeing from a peace officer;
- 17.** Has refused to submit to a test, or tests, as required under Section 11-501.1 of this Code and the person has not sought a hearing as provided for in Section 11-501.1;
- 18.** Has, since issuance of a driver's license or permit, been adjudged to be afflicted with or suffering from any mental disability or disease;
- 19.** Has committed a violation of paragraph (a) or (b) of Section 6-101 relating to driving without a driver's license;
- 20.** Has been convicted of violating Section 6-104 relating to classification of driver's license;
- 21.** Has been convicted of violating Section 11-402 of this Code relating to leaving the scene of an accident resulting in damage to a vehicle in excess of \$1,000, in which case the suspension shall be for one year;
- 22.** Has used a motor vehicle in violating paragraph (3), (4), (7), or (9) of subsection (a) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to unlawful use of weapons, in which case the suspension shall be for one year;
- 23.** Has, as a driver, been convicted of committing a violation of paragraph (a) of Section 11-502 of this Code for a second or subsequent time within one year of a similar violation;
- 24.** Has been convicted by a court-martial or punished by non-judicial punishment by military authorities of the United States at a military installation in Illinois or in another

state of or for a traffic related offense that is the same as or similar to an offense specified under Section 6-205 or 6-206 of this Code;

- 25.** Has permitted any form of identification to be used by another in the application process in order to obtain or attempt to obtain a license, identification card, or permit;
- 26.** Has altered or attempted to alter a license or has possessed an altered license, identification card, or permit;
- 27.** Has violated Section 6-16 of the Liquor Control Act of 1934;
- 28.** Has been convicted for a first time of the illegal possession, while operating or in actual physical control, as a driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act, in which case the person's driving privileges shall be suspended for one year. Any defendant found guilty of this offense while operating a motor vehicle, shall have an entry made in the court record by the presiding judge that this offense did occur while the defendant was operating a motor vehicle and order the clerk of the court to report the violation to the Secretary of State;
- 29.** Has been convicted of the following offenses that were committed while the person was operating or in actual physical control, as a driver, of a motor vehicle: criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, juvenile pimping, soliciting for a juvenile prostitute, promoting juvenile prostitution as described in subdivision (a)(1), (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code of 1961 or the Criminal Code of 2012, and the manufacture, sale or delivery of controlled substances or instruments used for illegal drug use or abuse in which case the driver's driving privileges shall be suspended for one year;
- 30.** Has been convicted a second or subsequent time for any combination of the offenses named in paragraph 29 of this subsection, in which case the person's driving privileges shall be suspended for 5 years;
- 31.** Has refused to submit to a test as required by Section 11-501.6 of this Code or Section 5-16c of the Boat Registration and Safety Act or has submitted to a test resulting in an alcohol concentration of 0.08 or more or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as listed in the Cannabis Control Act, a controlled substance as listed in the Illinois Controlled Substances Act, an intoxicating compound as listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, in which case the penalty shall be as prescribed in Section 6-208.1;
- 32.** Has been convicted of Section 24-1.2 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the aggravated discharge of a firearm if the offender was located

in a motor vehicle at the time the firearm was discharged, in which case the suspension shall be for 3 years;

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

34. Has committed a violation of Section 11-1301.5 of this Code or a similar provision of a local ordinance;

35. Has committed a violation of Section 11-1301.6 of this Code or a similar provision of a local ordinance;

36. Is under the age of 21 years at the time of arrest and has been convicted of not less than 2 offenses against traffic regulations governing the movement of vehicles committed within any 24 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;

37. Has committed a violation of subsection (c) of Section 11-907 of this Code that resulted in damage to the property of another or the death or injury of another;

38. Has been convicted of a violation of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance;

39. Has committed a second or subsequent violation of Section 11-1201 of this Code;

40. Has committed a violation of subsection (a-1) of Section 11-908 of this Code;

41. Has committed a second or subsequent violation of Section 11-605.1 of this Code, a similar provision of a local ordinance, or a similar violation in any other state within 2 years of the date of the previous violation, in which case the suspension shall be for 90 days;

42. Has committed a violation of subsection (a-1) of Section 11-1301.3 of this Code or a similar provision of a local ordinance;

43. Has received a disposition of court supervision for a violation of subsection (a), (d), or (e) of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance, in which case the suspension shall be for a period of 3 months;

44. Is under the age of 21 years at the time of arrest and has been convicted of an offense against traffic regulations governing the movement of vehicles after having previously had his or her driving privileges suspended or revoked pursuant to subparagraph 36 of this Section;

45. Has, in connection with or during the course of a formal hearing conducted under Section 2-118 of this Code: (i) committed perjury; (ii) submitted fraudulent or falsified documents; (iii) submitted documents that have been materially altered; or (iv) submitted, as his or her own, documents that were in fact prepared or composed for another person;

- 46.** Has committed a violation of subsection (j) of Section 3-413 of this Code;
- 47.** Has committed a violation of Section 11-502.1 of this Code;
- 48.** Has submitted a falsified or altered medical examiner's certificate to the Secretary of State or provided false information to obtain a medical examiner's certificate; or
- 49.** Has committed a violation of subsection (b-5) of Section 12-610.2 that resulted in great bodily harm, permanent disability, or disfigurement, in which case the driving privileges shall be suspended for 12 months.

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

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

(c)

- 1.** Upon suspending or revoking the driver's license or permit of any person as authorized in this Section, the Secretary of State shall immediately notify the person in writing of the revocation or suspension. The notice to be deposited in the United States mail, postage prepaid, to the last known address of the person.
- 2.** If the Secretary of State suspends the driver's license of a person under subsection 2 of paragraph (a) of this Section, a person's privilege to operate a vehicle as an occupation shall not be suspended, provided an affidavit is properly completed, the appropriate fee received, and a permit issued prior to the effective date of the suspension, unless 5 offenses were committed, at least 2 of which occurred while operating a commercial vehicle in connection with the driver's regular occupation. All other driving privileges shall be suspended by the Secretary of State. Any driver prior to operating a vehicle for occupational purposes only must submit the affidavit on forms to be provided by the Secretary of State setting forth the facts of the person's occupation. The affidavit shall also state the number of offenses committed while operating a vehicle in connection with the driver's regular occupation. The affidavit shall be accompanied by the driver's license. Upon receipt of a properly completed affidavit, the Secretary of State shall issue the driver a permit to operate a vehicle in connection with the driver's regular occupation only. Unless the permit is issued by the Secretary of State prior to the date of suspension, the privilege to drive any motor vehicle shall be suspended as set forth in the notice that was mailed under this Section. If an affidavit is received subsequent to the effective date of this suspension, a permit may be issued for the remainder of the suspension period. The provisions of this subparagraph shall not apply to any driver required to possess a CDL for the purpose of operating a commercial motor vehicle.

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

3. At the conclusion of a hearing under Section 2-118 of this Code, the Secretary of State shall either rescind or continue an order of revocation or shall substitute an order of suspension; or, good cause appearing therefor, rescind, continue, change, or extend the order of suspension. If the Secretary of State does not rescind the order, the Secretary may upon application, to relieve undue hardship (as defined by the rules of the Secretary of State), issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow the petitioner to transport himself or herself, or a family member of the petitioner's household to a medical facility, to receive necessary medical care, to allow the petitioner to transport himself or herself to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or to allow the petitioner to transport himself or herself or a family member of the petitioner's household to classes, as a student, at an accredited educational institution, or to allow the petitioner to transport children, elderly persons, or persons with disabilities who do not hold driving privileges and are living in the petitioner's household to and from daycare. The petitioner must demonstrate that no alternative means of transportation is reasonably available and that the petitioner will not endanger the public safety or welfare.

(A) If a person's license or permit is revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a combination of these offenses, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(B) If a person's license or permit is revoked or suspended 2 or more times due to any combination of:

(i) a single conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense; or

(ii) a statutory summary suspension or revocation under Section 11-501.1; or

(iii) a suspension under Section 6-203.1; arising out of separate occurrences; that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(B-5) If a person's license or permit is revoked or suspended due to a conviction for a violation of subparagraph (C) or (F) of paragraph (1) of subsection (d) of Section 11-

501 of this Code, or a similar provision of a local ordinance or similar out-of-state offense, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(C) The person issued a permit conditioned upon the use of an ignition interlock device must pay to the Secretary of State DUI Administration Fund an amount not to exceed \$30 per month. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(D) If the restricted driving permit is issued for employment purposes, then the prohibition against operating a motor vehicle that is not equipped with an ignition interlock device does not apply to the operation of an occupational vehicle owned or leased by that person's employer when used solely for employment purposes. For any person who, within a 5-year period, is convicted of a second or subsequent offense under Section 11-501 of this Code, or a similar provision of a local ordinance or similar out-of-state offense, this employment exemption does not apply until either a one-year period has elapsed during which that person had his or her driving privileges revoked or a one-year period has elapsed during which that person had a restricted driving permit which required the use of an ignition interlock device on every motor vehicle owned or operated by that person.

(E) In each case the Secretary may issue a restricted driving permit for a period deemed appropriate, except that all permits shall expire no later than 2 years from the date of issuance. A restricted driving permit issued under this Section shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued under this Code may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a designated driver remedial or rehabilitative program. The Secretary of State is authorized to cancel a restricted driving permit if the permit holder does not successfully complete the program.

(F) A person subject to the provisions of paragraph 4 of subsection (b) of Section 6-208 of this Code may make application for a restricted driving permit at a hearing conducted under Section 2-118 of this Code after the expiration of 5 years from the effective date of the most recent revocation or after 5 years from the date of release from a period of imprisonment resulting from a conviction of the most recent offense, whichever is later, provided the person, in addition to all other requirements of the Secretary, shows by clear and convincing evidence:

- (i)** a minimum of 3 years of uninterrupted abstinence from alcohol and the unlawful use or consumption of cannabis under the Cannabis Control Act, a controlled substance under the Illinois Controlled Substances Act, an intoxicating compound

under the Use of Intoxicating Compounds Act, or methamphetamine under the Methamphetamine Control and Community Protection Act; and

(ii) the successful completion of any rehabilitative treatment and involvement in any ongoing rehabilitative activity that may be recommended by a properly licensed service provider according to an assessment of the person's alcohol or drug use under Section 11-501.01 of this Code.

In determining whether an applicant is eligible for a restricted driving permit under this subparagraph (F), the Secretary may consider any relevant evidence, including, but not limited to, testimony, affidavits, records, and the results of regular alcohol or drug tests. Persons subject to the provisions of paragraph 4 of subsection (b) of Section 6-208 of this Code and who have been convicted of more than one violation of paragraph (3), paragraph (4), or paragraph (5) of subsection (a) of Section 11-501 of this Code shall not be eligible to apply for a restricted driving permit under this subparagraph (F).

A restricted driving permit issued under this subparagraph (F) shall provide that the holder may only operate motor vehicles equipped with an ignition interlock device as required under paragraph (2) of subsection (c) of Section 6-205 of this Code and subparagraph (A) of paragraph 3 of subsection (c) of this Section. The Secretary may revoke a restricted driving permit or amend the conditions of a restricted driving permit issued under this subparagraph (F) if the holder operates a vehicle that is not equipped with an ignition interlock device, or for any other reason authorized under this Code.

A restricted driving permit issued under this subparagraph (F) shall be revoked, and the holder barred from applying for or being issued a restricted driving permit in the future, if the holder is convicted of a violation of Section 11-501 of this Code, a similar provision of a local ordinance, or a similar offense in another state.

(c-3) In the case of a suspension under paragraph 43 of subsection (a), reports received by the Secretary of State under this Section shall, except during the actual time the suspension is in effect, be privileged information and for use only by the courts, police officers, prosecuting authorities, the driver licensing administrator of any other state, the Secretary of State, or the parent or legal guardian of a driver under the age of 18. However, beginning January 1, 2008, if the person is a CDL holder, the suspension shall also be made available to the driver licensing administrator of any other state, the U.S. Department of Transportation, and the affected driver or motor carrier or prospective motor carrier upon request.

(c-4) In the case of a suspension under paragraph 43 of subsection (a), the Secretary of State shall notify the person by mail that his or her driving privileges and driver's license will be suspended one month after the date of the mailing of the notice.

(c-5) The Secretary of State may, as a condition of the reissuance of a driver's license or permit to an applicant whose driver's license or permit has been suspended before he or she reached the age of 21 years pursuant to any of the provisions of this Section, require the applicant to participate in a driver remedial education course and be retested under Section 6-109 of this Code.

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

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

(f) In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been suspended, revoked, cancelled, or disqualified under any provisions of this Code.

625 ILCS 5/6-206

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 Amended by P.A. 098-0726, § 10, eff. 1/1/2015.
 Amended by P.A. 098-0122, § 935, eff. 1/1/2014.
 Amended by P.A. 098-0103, § 5, eff. 1/1/2014.
 Amended by P.A. 097-1150, § 575, eff. 1/25/2013.
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 Amended by P.A. 097-0844, § 5, eff. 1/1/2013.
 Amended by P.A. 097-0838, § 5, eff. 1/1/2013.
 Amended by P.A. 097-0743, § 5, eff. 1/1/2013.
 Amended by P.A. 097-0333, § 525, eff. 8/12/2011.
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 Amended by P.A. 096-1551, § 2-1025, eff. 7/1/2011.
 Amended by P.A. 096-1344, § 5, eff. 7/1/2011.
 Amended by P.A. 096-1305, § 5, eff. 1/1/2011.
 Amended by P.A. 096-1180, § 5, eff. 1/1/2011.
 Amended by P.A. 096-0607, § 5, eff. 8/24/2009.
 Amended by P.A. 096-0328, § 320, eff. 8/11/2009.
 Amended by P.A. 095-0894, § 5, eff. 1/1/2009.
 Amended by P.A. 095-0876, § 300, eff. 8/21/2008.
 Amended by P.A. 095-0848, § 5, eff. 1/1/2009.
 Amended by P.A. 095-0627, § 5, eff. 6/1/2008.
 Amended by P.A. 095-0400, § 10, eff. 1/1/2009.
 Amended by P.A. 095-0382, § 5, eff. 8/23/2007.
 Amended by P.A. 095-0310, § 10, eff. 1/1/2008.
 Amended by P.A. 095-0166, § 10, eff. 1/1/2008.
 Amended by P.A. 094-0930, § 5, eff. 6/26/2006.
 Amended by P.A. 094-0556, § 1040, eff. 9/11/2005.
 Amended by P.A. 094-0307, § 5, eff. 9/30/2005.

Amended by P.A. 093-0955, § 5, eff. 8/19/2004.

Amended by P.A. 093-0788, § 5, eff. 1/1/2005.

Amended by P.A. 093-0667, § 10, eff. 3/19/2004.

Amended by P.A. 093-0120, § 5, eff. 1/1/2004.

P.A. 89-283, eff. 1-1-96; 89-428, eff. 12-13-95; 89-462, eff. 5-29-96; 90-43, eff. 7-2-97; 90-106, eff. 1-1-98; 90-369, eff. 1-1-98; 90-655, eff. 7-30-98; 92-283, eff. 1-1-02; 92-418, eff. 8-17-01; 92-458, eff. 8-22-01; 92-651, eff. 7-11-02; 92-804, eff. 1-1-03; 92-814, eff. 1-1-03; 93-120, eff. 1-1-04.

This section is set out twice. See 625 ILCS 5/6-206, as amended by P.A. 101-0090, § 5, eff. 7/1/2020; and 625 ILCS 5/6-206, as amended by P.A. 101-0470, § 5, eff. 7/1/2020. All versions are set out pending reconciliation by the legislature.

625 ILCS 5/6-208

Section 625 ILCS 5/6-208 - Period of Suspension - Application After Revocation

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

(b) Any person whose license, permit, or privilege to drive a motor vehicle on the highways has been revoked shall not be entitled to have such license, permit, or privilege renewed or restored. However, such person may, except as provided under subsections (d) and (d-5) of Section 6-205, make application for a license pursuant to Section 6-106 (i) if the revocation was for a cause that has been removed or (ii) as provided in the following subparagraphs:

1. Except as provided in subparagraphs 1.3, 1.5, 2, 3, 4, and 5, the person may make application for a license (A) after the expiration of one year from the effective date of the revocation, (B) in the case of a violation of paragraph (b) of Section 11-401 of this Code or a similar provision of a local ordinance, after the expiration of 3 years from the effective date of the revocation, or (C) in the case of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a law of another state relating to the offense of reckless homicide or a violation of subparagraph (F) of paragraph 1 of subsection (d) of Section 11-501 of this Code relating to aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, if the violation was the proximate cause of a death, after the expiration of 2 years from the effective date of the revocation or after the expiration of 24 months from the date of release from a period of imprisonment as provided in Section 6-103 of this Code, whichever is later.

1.3. If the person is convicted of a second or subsequent violation of Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, in which the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a combination of these offenses, arising out of separate occurrences, that person may not make application for a driver's license until:

(A) the person has first been issued a restricted driving permit by the Secretary of State; and

(B) the expiration of a continuous period of not less than 5 years following the issuance of the restricted driving permit during which the person's restricted driving permit is not suspended, cancelled, or revoked for a violation of any provision of law, or any rule or regulation of the Secretary of State relating to the required use of an ignition interlock device.

1.5. If the person is convicted of a violation of Section 6-303 of this Code committed while his or her driver's license, permit, or privilege was revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state, the

person may not make application for a license or permit until the expiration of 3 years from the date of the conviction.

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

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

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

(C) Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide; or

(D) any combination of the above offenses committed at different instances; then such person may not make application for a license until after the expiration of 5 years from the effective date of the most recent revocation. The 20-year period shall be computed by using the dates the offenses were committed and shall also include similar out-of-state offenses and similar offenses committed on a military installation.

2.5. If a person is convicted of a second violation of Section 6-303 of this Code committed while the person's driver's license, permit, or privilege was revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state, the person may not make application for a license or permit until the expiration of 5 years from the date of release from a term of imprisonment.

3. However, except as provided in subparagraph 4, if such person is convicted of committing a third violation or any combination of the above offenses, including similar out-of-state offenses and similar offenses committed on a military installation, contained in subparagraph 2, then such person may not make application for a license until after the expiration of 10 years from the effective date of the most recent revocation.

4. Except as provided in paragraph (1.5) of subsection (c) of Section 6-205 and subparagraph (F) of paragraph 3 of subsection (c) of Section 6-206 of this Code, the person may not make application for a license if the person is convicted of committing a fourth or subsequent violation of Section 11-501 of this Code or a similar provision of a local ordinance, Section 11-401 of this Code, Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, or a combination of these offenses, similar provisions of local ordinances, similar out-of-state offenses, or similar offenses committed on a military installation.

4.5. A bona fide resident of a foreign jurisdiction who is subject to the provisions of subparagraph 4 of this subsection (b) may make application for termination of the revocation after a period of 10 years from the effective date of the most recent revocation. However, if a person who has been granted a termination of revocation under this subparagraph 4.5 subsequently becomes a resident of this State, the revocation shall be reinstated and the person shall be subject to the provisions of subparagraph 4.

5. The person may not make application for a license or permit if the person is convicted of a third or subsequent violation of Section 6-303 of this Code committed while his or her driver's license, permit, or privilege was revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state.

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

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

(c) (Blank).

625 ILCS 5/6-208

Amended by P.A. 099-0642, § 525, eff. 7/28/2016.

Amended by P.A. 099-0296, § 5, eff. 1/1/2016.

Amended by P.A. 099-0290, § 5, eff. 1/1/2016.

Amended by P.A. 097-1150, § 575, eff. 1/25/2013.

Amended by P.A. 096-0607, § 5, eff. 8/24/2009.

Amended by P.A. 095-0876, § 300, eff. 8/21/2008.

Amended by P.A. 095-0377, § 5, eff. 1/1/2008.

Amended by P.A. 095-0355, § 10, eff. 1/1/2008.

Amended by P.A. 095-0331, § 1005, eff. 8/21/2007.

Amended by P.A. 093-0788, § 5, eff. 1/1/2005.

Amended by P.A. 093-0712, § 5, eff. 1/1/2005.

P.A. 90-543, eff. 12-1-97; 90-738, eff. 1-1-99; 91-357, eff. 7-29-99; 92-343, eff. 1-1-02; 92-418, eff. 8-17-01; 92-458, eff. 8-22-01; 92-651, eff. 7-11-02.

625 ILCS 5/6-303

Section 625 ILCS 5/6-303 - Driving while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked

(a) Except as otherwise provided in subsection (a-5) or (a-7), any person who drives or is in actual physical control of a motor vehicle on any highway of this State at a time when such person's driver's license, permit, or privilege to do so or the privilege to obtain a driver's license or permit is revoked or suspended as provided by this Code or the law of another state, except as may be specifically allowed by a judicial driving permit issued prior to January 1, 2009, monitoring device driving permit, family financial responsibility driving permit, probationary license to drive, or a restricted driving permit issued pursuant to this Code or under the law of another state, shall be guilty of a Class A misdemeanor.

(a-3) A second or subsequent violation of subsection (a) of this Section is a Class 4 felony if committed by a person whose driving or operation of a motor vehicle is the proximate cause of a motor vehicle accident that causes personal injury or death to another. For purposes of this subsection, a personal injury includes any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or a medical facility. A Type A injury includes severe bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

(a-5) Any person who violates this Section as provided in subsection (a) while his or her driver's license, permit, or privilege is revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar provision of a law of another state, is guilty of a Class 4 felony. The person shall be required to undergo a professional evaluation, as provided in Section 11-501 of this Code, to determine if an alcohol, drug, or intoxicating compound problem exists and the extent of the problem, and to undergo the imposition of treatment as appropriate.

(a-7) Any person who violates this Section as provided in subsection (a) while his or her driver's license or privilege to drive is suspended under Section 6-306.5 or 7-702 of this Code shall receive a Uniform Traffic Citation from the law enforcement officer. A person who receives 3 or more Uniform Traffic Citations under this subsection (a-7) without paying any fees associated with the citations shall be guilty of a Class A misdemeanor.

(a-10) A person's driver's license, permit, or privilege to obtain a driver's license or permit may be subject to multiple revocations, multiple suspensions, or any combination of both simultaneously. No revocation or suspension shall serve to negate, invalidate, cancel, postpone, or in any way lessen the effect of any other revocation or suspension entered prior or subsequent to any other revocation or suspension.

(b) (Blank).

(b-1) Except for a person under subsection (a-7) of this Section, upon receiving a report of the conviction of any violation indicating a person was operating a motor vehicle during the

time when the person's driver's license, permit, or privilege was suspended by the Secretary of State or the driver's licensing administrator of another state, except as specifically allowed by a probationary license, judicial driving permit, restricted driving permit, or monitoring device driving permit, the Secretary shall extend the suspension for the same period of time as the originally imposed suspension unless the suspension has already expired, in which case the Secretary shall be authorized to suspend the person's driving privileges for the same period of time as the originally imposed suspension.

(b-2) Except as provided in subsection (b-6) or (a-7), upon receiving a report of the conviction of any violation indicating a person was operating a motor vehicle when the person's driver's license, permit, or privilege was revoked by the Secretary of State or the driver's license administrator of any other state, except as specifically allowed by a restricted driving permit issued pursuant to this Code or the law of another state, the Secretary shall not issue a driver's license for an additional period of one year from the date of such conviction indicating such person was operating a vehicle during such period of revocation.

(b-3) (Blank).

(b-4) When the Secretary of State receives a report of a conviction of any violation indicating a person was operating a motor vehicle that was not equipped with an ignition interlock device during a time when the person was prohibited from operating a motor vehicle not equipped with such a device, the Secretary shall not issue a driver's license to that person for an additional period of one year from the date of the conviction.

(b-5) Any person convicted of violating this Section shall serve a minimum term of imprisonment of 30 consecutive days or 300 hours of community service when the person's driving privilege was revoked or suspended as a result of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar provision of a law of another state. The court may give credit toward the fulfillment of community service hours for participation in activities and treatment as determined by court services.

(b-6) Upon receiving a report of a first conviction of operating a motor vehicle while the person's driver's license, permit, or privilege was revoked where the revocation was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense, the Secretary shall not issue a driver's license for an additional period of 3 years from the date of such conviction.

(c) Except as provided in subsections (c-3) and (c-4), any person convicted of violating this Section shall serve a minimum term of imprisonment of 10 consecutive days or 30 days of community service when the person's driving privilege was revoked or suspended as a result of:

- (1)** a violation of Section 11-501 of this Code or a similar provision of a local ordinance relating to the offense of operating or being in physical control of a vehicle while under the influence of alcohol, any other drug or any combination thereof; or
- (2)** a violation of paragraph (b) of Section 11-401 of this Code or a similar provision of a local ordinance relating to the offense of leaving the scene of a motor vehicle accident involving personal injury or death; or
- (3)** a statutory summary suspension or revocation under Section 11-501.1 of this Code.

Such sentence of imprisonment or community service shall not be subject to suspension in order to reduce such sentence.

(c-1) Except as provided in subsections (a-7), (c-5), and (d), any person convicted of a second violation of this Section shall be ordered by the court to serve a minimum of 100 hours of community service. The court may give credit toward the fulfillment of community service hours for participation in activities and treatment as determined by court services.

(c-2) In addition to other penalties imposed under this Section, the court may impose on any person convicted a fourth time of violating this Section any of the following:

- (1)** Seizure of the license plates of the person's vehicle.
- (2)** Immobilization of the person's vehicle for a period of time to be determined by the court.

(c-3) Any person convicted of a violation of this Section during a period of summary suspension imposed pursuant to Section 11-501.1 when the person was eligible for a monitoring device driving permit shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days.

(c-4) Any person who has been issued a monitoring device driving permit or a restricted driving permit which requires the person to operate only motor vehicles equipped with an ignition interlock device and who is convicted of a violation of this Section as a result of operating or being in actual physical control of a motor vehicle not equipped with an ignition interlock device at the time of the offense shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days.

(c-5) Any person convicted of a second violation of this Section is guilty of a Class 2 felony, is not eligible for probation or conditional discharge, and shall serve a mandatory term of imprisonment, if:

- (1)** the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense; and
- (2)** the prior conviction under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the

Criminal Code of 2012 relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense, or was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d) Any person convicted of a second violation of this Section shall be guilty of a Class 4 felony and shall serve a minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court, if:

- (1)** the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and
- (2)** the prior conviction under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense.

The court may give credit toward the fulfillment of community service hours for participation in activities and treatment as determined by court services.

(d-1) Except as provided in subsections (a-7), (d-2), (d-2.5), and (d-3), any person convicted of a third or subsequent violation of this Section shall serve a minimum term of imprisonment of 30 days or 300 hours of community service, as determined by the court. The court may give credit toward the fulfillment of community service hours for participation in activities and treatment as determined by court services.

(d-2) Any person convicted of a third violation of this Section is guilty of a Class 4 felony and must serve a minimum term of imprisonment of 30 days, if:

- (1)** the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and
- (2)** the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation

of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense.

(d-2.5) Any person convicted of a third violation of this Section is guilty of a Class 1 felony, is not eligible for probation or conditional discharge, and must serve a mandatory term of imprisonment, if:

(1) the current violation occurred while the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense. The person's driving privileges shall be revoked for the remainder of the person's life; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense, or was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-3) Any person convicted of a fourth, fifth, sixth, seventh, eighth, or ninth violation of this Section is guilty of a Class 4 felony and must serve a minimum term of imprisonment of 180 days, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or

compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense.

(d-3.5) Any person convicted of a fourth or subsequent violation of this Section is guilty of a Class 1 felony, is not eligible for probation or conditional discharge, must serve a mandatory term of imprisonment, and is eligible for an extended term, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense, or was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code.

(d-4) Any person convicted of a tenth, eleventh, twelfth, thirteenth, or fourteenth violation of this Section is guilty of a Class 3 felony, and is not eligible for probation or conditional discharge, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense.

(d-5) Any person convicted of a fifteenth or subsequent violation of this Section is guilty of a Class 2 felony, and is not eligible for probation or conditional discharge, if:

(1) the current violation occurred when the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, or a similar out-of-state offense, or a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code; and

(2) the prior convictions under this Section occurred while the person's driver's license was suspended or revoked for a violation of Section 11-401 or 11-501 of this Code, a similar out-of-state offense, a similar provision of a local ordinance, or a statutory summary suspension or revocation under Section 11-501.1 of this Code, or for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar out-of-state offense.

(e) Any person in violation of this Section who is also in violation of Section 7-601 of this Code relating to mandatory insurance requirements, in addition to other penalties imposed under this Section, shall have his or her motor vehicle immediately impounded by the arresting law enforcement officer. The motor vehicle may be released to any licensed driver upon a showing of proof of insurance for the vehicle that was impounded and the notarized written consent for the release by the vehicle owner.

(f) For any prosecution under this Section, a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction.

(g) The motor vehicle used in a violation of this Section is subject to seizure and forfeiture as provided in Sections 36-1 and 36-2 of the Criminal Code of 2012 if the person's driving privilege was revoked or suspended as a result of:

(1) a violation of Section 11-501 of this Code, a similar provision of a local ordinance, or a similar provision of a law of another state;

(2) a violation of paragraph (b) of Section 11-401 of this Code, a similar provision of a local ordinance, or a similar provision of a law of another state;

(3) a statutory summary suspension or revocation under Section 11-501.1 of this Code or a similar provision of a law of another state; or

(4) a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide, or a violation of subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, relating to the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of a death, or a similar provision of a law of another state.

625 ILCS 5/6-303

Amended by P.A. 101-0081, § 670, eff. 7/12/2019.

Amended by P.A. 100-1004, § 5, eff. 1/1/2019.

Amended by P.A. 100-0575, § 10, eff. 1/8/2018.
Amended by P.A. 100-0149, § 5, eff. 1/1/2018.
Amended by P.A. 099-0290, § 5, eff. 1/1/2016.
Amended by P.A. 098-0756, § 675, eff. 7/16/2014.
Amended by P.A. 098-0573, § 5, eff. 8/27/2013.
Amended by P.A. 098-0418, § 5, eff. 8/16/2013.
Amended by P.A. 098-0285, § 5, eff. 1/1/2014.
Amended by P.A. 097-1150, § 575, eff. 1/25/2013.
Amended by P.A. 097-0984, § 5, eff. 1/1/2013.
Amended by P.A. 096-1344, § 5, eff. 7/1/2011.
Amended by P.A. 096-1000, § 575, eff. 7/2/2010.
Amended by P.A. 096-0607, § 5, eff. 8/24/2009.
Amended by P.A. 096-0502, § 5, eff. 1/1/2010.
Amended by P.A. 095-0991, § 5, eff. 6/1/2009.
Amended by P.A. 095-0876, § 300, eff. 8/21/2008.
Amended by P.A. 095-0578, § 5, eff. 6/1/2008.
Amended by P.A. 095-0400, § 10, eff. 1/1/2009.
Amended by P.A. 095-0377, § 5, eff. 1/1/2008.
Amended by P.A. 095-0027, § 5, eff. 1/1/2008.
Amended by P.A. 094-0112, § 5, eff. 1/1/2006.
P.A. 89-8, eff. 3-21-95; 89-92, eff. 7-1-96; 89-159, eff. 1-1-96; 89-626, eff. 8-9-96; 90-400, eff. 8-15-97; 90-738, eff. 1-1-99; 91-692, eff. 4-13-00; 92-340, eff. 8-10-01; 92-688, eff. 7-16-02.

625 ILCS 5/11-401

Section 625 ILCS 5/11-401 - Motor vehicle accidents involving death or personal injuries

(a) The driver of any vehicle involved in a motor vehicle accident resulting in personal injury to or death of any person shall immediately stop such vehicle at the scene of such accident, or as close thereto as possible and shall then forthwith return to, and in every event shall remain at the scene of the accident until the requirements of Section 11-403 have been fulfilled. Every such stop shall be made without obstructing traffic more than is necessary.

(b) Any person who has failed to stop or to comply with the requirements of paragraph (a) shall, as soon as possible but in no case later than one-half hour after such motor vehicle accident, or, if hospitalized and incapacitated from reporting at any time during such period, as soon as possible but in no case later than one-half hour after being discharged from the hospital, report the place of the accident, the date, the approximate time, the driver's name and address, the registration number of the vehicle driven, and the names of all other occupants of such vehicle, at a police station or sheriff's office near the place where such accident occurred. No report made as required under this paragraph shall be used, directly or indirectly, as a basis for the prosecution of any violation of paragraph (a).

(b-1) Any person arrested for violating this Section is subject to chemical testing of his or her blood, breath, other bodily substance, or urine for the presence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, as provided in Section 11-501.1, if the testing occurs within 12 hours of the time of the occurrence of the accident that led to his or her arrest. The person's driving privileges are subject to statutory summary suspension under Section 11-501.1 if he or she fails testing or statutory summary revocation under Section 11-501.1 if he or she refuses to undergo the testing.

For purposes of this Section, personal injury shall mean any injury requiring immediate professional treatment in a medical facility or doctor's office.

(c) Any person failing to comply with paragraph (a) shall be guilty of a Class 4 felony.

(d) Any person failing to comply with paragraph (b) is guilty of a Class 2 felony if the motor vehicle accident does not result in the death of any person. Any person failing to comply with paragraph (b) when the accident results in the death of any person is guilty of a Class 1 felony.

(e) The Secretary of State shall revoke the driving privilege of any person convicted of a violation of this Section.

625 ILCS 5/11-401

Amended by P.A. 099-0697, § 20, eff. 7/29/2016.

Amended by P.A. 096-1344, § 5, eff. 7/1/2011.

Amended by P.A. 095-0347, § 5, eff. 1/1/2008.

Amended by P.A. 094-0115, § 5, eff. 1/1/2006.

Amended by P.A. 093-0684, § 5, eff. 1/1/2005.

P.A. 90-543, eff. 12-1-97.





625 ILCS 5/11-402

Section 625 ILCS 5/11-402 - Motor vehicle accident involving damage to vehicle

(a) The driver of any vehicle involved in a motor vehicle accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such motor vehicle accident or as close thereto as possible, but shall forthwith return to and in every event shall remain at the scene of such motor vehicle accident until the requirements of Section 11-403 have been fulfilled. A driver does not violate this Section if the driver moves the vehicle as soon as possible off the highway to the nearest safe location on an exit ramp shoulder, a frontage road, the nearest suitable cross street, or other suitable location that does not obstruct traffic and remains at that location until the driver has fulfilled the requirements of Section 11-403. Every such stop shall be made without obstructing traffic more than is necessary. If a damaged vehicle is obstructing traffic lanes, the driver of the vehicle must make every reasonable effort to move the vehicle or have it moved so as not to block the traffic lanes.

Any person failing to comply with this Section shall be guilty of a Class A misdemeanor.

(b) Upon conviction of a violation of this Section, the court shall make a finding as to whether the damage to a vehicle is in excess of \$1,000, and in such case a statement of this finding shall be reported to the Secretary of State with the report of conviction as required by Section 6-204 of this Code. Upon receipt of such report of conviction and statement of finding that the damage to a vehicle is in excess of \$1,000, the Secretary of State shall suspend the driver's license or any nonresident's driving privilege.

(c) If any peace officer or highway authority official finds (i) a vehicle standing upon a highway or toll highway in violation of a prohibition, limitation, or restriction on stopping, standing, or parking imposed under this Code or (ii) a disabled vehicle that obstructs the roadway of a highway or toll highway, the peace officer or highway authority official is authorized to move the vehicle or to require the operator of the vehicle to move the vehicle to the shoulder of the road, to a position where parking is permitted, or to public parking or storage premises. The removal may be performed by, or under the direction of, the peace officer or highway authority official or may be contracted for by local authorities. After the vehicle has been removed, the peace officer or highway authority official shall follow appropriate procedures, as provided in Section 4-203 of this Code.

(d) A towing service, its officers, and its employees are not liable for loss of or damages to any real or personal property that occurs as the result of the removal or towing of any vehicle under subsection (c), as provided in subsection (b) of Section 4-213.

625 ILCS 5/11-402

P.A. 83-831.

Amended by P.A. 097-0763, § 5, eff. 1/1/2013.

Amended by P.A. 095-0407, § 5, eff. 1/1/2008.

625 ILCS 5/11-501

Section 625 ILCS 5/11-501 - Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof

(a) A person shall not drive or be in actual physical control of any vehicle within this State while:

- (1)** the alcohol concentration in the person's blood, other bodily substance, or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;
- (2)** under the influence of alcohol;
- (3)** under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;
- (4)** under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;
- (5)** under the combined influence of alcohol, other drug or drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving;
- (6)** there is any amount of a drug, substance, or compound in the person's breath, blood, other bodily substance, or urine resulting from the unlawful use or consumption of a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act; or
- (7)** the person has, within 2 hours of driving or being in actual physical control of a vehicle, a tetrahydrocannabinol concentration in the person's whole blood or other bodily substance as defined in paragraph 6 of subsection (a) of Section 11-501.2 of this Code. Subject to all other requirements and provisions under this Section, this paragraph (7) does not apply to the lawful consumption of cannabis by a qualifying patient licensed under the Compassionate Use of Medical Cannabis Program Act who is in possession of a valid registry card issued under that Act, unless that person is impaired by the use of cannabis.

(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, cannabis under the Compassionate Use of Medical Cannabis Program Act, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(c) Penalties.

- (1)** Except as otherwise provided in this Section, any person convicted of violating subsection (a) of this Section is guilty of a Class A misdemeanor.

(2) A person who violates subsection (a) or a similar provision a second time shall be sentenced to a mandatory minimum term of either 5 days of imprisonment or 240 hours of community service in addition to any other criminal or administrative sanction.

(3) A person who violates subsection (a) is subject to 6 months of imprisonment, an additional mandatory minimum fine of \$1,000, and 25 days of community service in a program benefiting children if the person was transporting a person under the age of 16 at the time of the violation.

(4) A person who violates subsection (a) a first time, if the alcohol concentration in his or her blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 100 hours of community service and a mandatory minimum fine of \$500.

(5) A person who violates subsection (a) a second time, if at the time of the second violation the alcohol concentration in his or her blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 2 days of imprisonment and a mandatory minimum fine of \$1,250.

(d) Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof.

(1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

(A) the person committed a violation of subsection (a) or a similar provision for the third or subsequent time;

(B) the person committed a violation of subsection (a) while driving a school bus with one or more passengers on board;

(C) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

(D) the person committed a violation of subsection (a) and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

(E) the person, in committing a violation of subsection (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect

under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle accident that resulted in bodily harm, other than great bodily harm or permanent disability or disfigurement, to another person, when the violation of subsection (a) was a proximate cause of the bodily harm;

(F) the person, in committing a violation of subsection (a), was involved in a motor vehicle, snowmobile, all-terrain vehicle, or watercraft accident that resulted in the death of another person, when the violation of subsection (a) was a proximate cause of the death;

(G) the person committed a violation of subsection (a) during a period in which the defendant's driving privileges are revoked or suspended, where the revocation or suspension was for a violation of subsection (a) or a similar provision, Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012;

(H) the person committed the violation while he or she did not possess a driver's license or permit or a restricted driving permit or a judicial driving permit or a monitoring device driving permit;

(I) the person committed the violation while he or she knew or should have known that the vehicle he or she was driving was not covered by a liability insurance policy;

(J) the person in committing a violation of subsection (a) was involved in a motor vehicle accident that resulted in bodily harm, but not great bodily harm, to the child under the age of 16 being transported by the person, if the violation was the proximate cause of the injury;

(K) the person in committing a second violation of subsection (a) or a similar provision was transporting a person under the age of 16; or

(L) the person committed a violation of subsection (a) of this Section while transporting one or more passengers in a vehicle for-hire.

(2)

(A) Except as provided otherwise, a person convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof is guilty of a Class 4 felony.

(B) A third violation of this Section or a similar provision is a Class 2 felony. If at the time of the third violation the alcohol concentration in his or her blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, a mandatory minimum of 90 days of imprisonment and a mandatory minimum fine of \$2,500 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the third violation, the defendant was transporting a person under the age of 16, a mandatory fine of \$25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(C) A fourth violation of this Section or a similar provision is a Class 2 felony, for which a sentence of probation or conditional discharge may not be imposed. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, a mandatory minimum fine of \$5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the fourth violation, the defendant was transporting a person under the age of 16 a mandatory fine of \$25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(D) A fifth violation of this Section or a similar provision is a Class 1 felony, for which a sentence of probation or conditional discharge may not be imposed. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, a mandatory minimum fine of \$5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the fifth violation, the defendant was transporting a person under the age of 16, a mandatory fine of \$25,000, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(E) A sixth or subsequent violation of this Section or similar provision is a Class X felony. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, a mandatory minimum fine of \$5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the violation, the defendant was transporting a person under the age of 16, a mandatory fine of \$25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(F) For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years.

(G) A violation of subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, unless the court determines that extraordinary circumstances exist and require probation, shall be sentenced to: (i) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of one person; or (ii) a term of imprisonment of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons.

(H) For a violation of subparagraph (J) of paragraph (1) of this subsection (d), a mandatory fine of \$2,500, and 25 days of community service in a program benefiting

children shall be imposed in addition to any other criminal or administrative sanction.

(I) A violation of subparagraph (K) of paragraph (1) of this subsection (d), is a Class 2 felony and a mandatory fine of \$2,500, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction. If the child being transported suffered bodily harm, but not great bodily harm, in a motor vehicle accident, and the violation was the proximate cause of that injury, a mandatory fine of \$5,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(J) A violation of subparagraph (D) of paragraph (1) of this subsection (d) is a Class 3 felony, for which a sentence of probation or conditional discharge may not be imposed.

(3) Any person sentenced under this subsection (d) who receives a term of probation or conditional discharge must serve a minimum term of either 480 hours of community service or 10 days of imprisonment as a condition of the probation or conditional discharge in addition to any other criminal or administrative sanction.

(e) Any reference to a prior violation of subsection (a) or a similar provision includes any violation of a provision of a local ordinance or a provision of a law of another state or an offense committed on a military installation that is similar to a violation of subsection (a) of this Section.

(f) The imposition of a mandatory term of imprisonment or assignment of community service for a violation of this Section shall not be suspended or reduced by the court.

(g) Any penalty imposed for driving with a license that has been revoked for a previous violation of subsection (a) of this Section shall be in addition to the penalty imposed for any subsequent violation of subsection (a).

(h) For any prosecution under this Section, a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction.

625 ILCS 5/11-501

Amended by P.A. 101-0363, § 65, eff. 8/9/2019.

Amended by P.A. 099-0697, § 20, eff. 7/29/2016.

Amended by P.A. 098-0756, § 675, eff. 7/16/2014.

Amended by P.A. 098-0573, § 5, eff. 8/27/2013.

Amended by P.A. 098-0122, § 935, eff. 1/1/2014.

Amended by P.A. 097-1150, § 575, eff. 1/25/2013.

Amended by P.A. 096-0289, § 5, eff. 8/11/2009.

Amended by P.A. 095-0876, § 300, eff. 8/21/2008.

Amended by P.A. 095-0778, § 5, eff. 8/4/2008.

Amended by P.A. 095-0578, § 5, eff. 6/1/2008.

Amended by P.A. 095-0400, § 10, eff. 1/1/2009.

Amended by P.A. 095-0355, § 10, eff. 1/1/2008.

Amended by P.A. 095-0149, § 5, eff. 8/14/2007.

Amended by P.A. 094-0963, § 5, eff. 6/28/2006.

Amended by P.A. 094-0609, § 5, eff. 1/1/2006.

Amended by P.A. 094-0329, § 5, eff. 1/1/2006.

Amended by P.A. 094-0116, § 5, eff. 1/1/2006.
Amended by P.A. 094-0114, § 5, eff. 1/1/2006.
Amended by P.A. 094-0113, § 5, eff. 1/1/2006.
Amended by P.A. 094-0110, § 5, eff. 1/1/2006.
Amended by P.A. 093-1093, § 5, eff. 3/29/2005.
Amended by P.A. 093-0840, § 30-5, eff. 7/30/2004.
Amended by P.A. 093-0800, § 5, eff. 1/1/2005.
Amended by P.A. 093-0712, § 5, eff. 1/1/2005.
Amended by P.A. 093-0584, § 10, eff. 8/22/2003.
Amended by P.A. 093-0213, § 5, eff. 7/18/2003.
Amended by P.A. 093-0156, § 3, eff. 1/1/2004.
P.A. 90-43, eff. 7-2-97; 90-400, eff. 8-15-97; 90-611, eff. 1-1-99; 90-655, eff. 7-30-98; 90-738, eff. 1-1-99; 90-779, eff. 1-1-99; 91-126, eff. 7-16-99; 91-357, eff. 7-29-99; 91-692, eff. 4-13-00; 91-822, eff. 6-13-00; 92-248, eff. 8-3-01; 92-418, eff. 8-17-01; 92-420, eff. 8-17-01; 92-429, eff. 1-1-02; 92-431, eff. 1-1-02; 92-651, eff. 7-11-02.

625 ILCS 5/11-502

Section 625 ILCS 5/11-502 - Transportation or possession of alcoholic liquor in a motor vehicle

- (a) Except as provided in paragraph (c) and in Sections 6-6.5 and 6-33 of the Liquor Control Act of 1934, no driver may transport, carry, possess or have any alcoholic liquor within the passenger area of any motor vehicle upon a highway in this State except in the original container and with the seal unbroken.
- (b) Except as provided in paragraph (c) and in Sections 6-6.5 and 6-33 of the Liquor Control Act of 1934, no passenger may carry, possess or have any alcoholic liquor within any passenger area of any motor vehicle upon a highway in this State except in the original container and with the seal unbroken.
- (c) This Section shall not apply to the passengers in a limousine when it is being used for purposes for which a limousine is ordinarily used, the passengers on a chartered bus when it is being used for purposes for which chartered buses are ordinarily used or on a motor home or mini motor home as defined in Section 1-145.01 of this Code. However, the driver of any such vehicle is prohibited from consuming or having any alcoholic liquor in or about the driver's area. Any evidence of alcoholic consumption by the driver shall be prima facie evidence of such driver's failure to obey this Section. For the purposes of this Section, a limousine is a motor vehicle of the first division with the passenger compartment enclosed by a partition or dividing window used in the for-hire transportation of passengers and operated by an individual in possession of a valid Illinois driver's license of the appropriate classification pursuant to Section 6-104 of this Code.
- (d) (Blank).
- (e) Any driver who is convicted of violating subsection (a) of this Section for a second or subsequent time within one year of a similar conviction shall be subject to suspension of driving privileges as provided, in paragraph 23 of subsection (a) of Section 6-206 of this Code.
- (f) Any driver, who is less than 21 years of age at the date of the offense and who is convicted of violating subsection (a) of this Section or a similar provision of a local ordinance, shall be subject to the loss of driving privileges as provided in paragraph 13 of subsection (a) of Section 6-205 of this Code and paragraph 33 of subsection (a) of Section 6-206 of this Code.

625 ILCS 5/11-502

P.A. 88-209.

Amended by P.A. 101-0517, § 10, eff. 8/23/2019.

Amended by P.A. 095-0847, § 10, eff. 8/15/2008.

Amended by P.A. 094-1047, § 10, eff. 1/1/2007.

Joint Committee on Administrative Rules

ADMINISTRATIVE CODE

TITLE 92: TRANSPORTATION

CHAPTER II: SECRETARY OF STATE

PART 1001 PROCEDURES AND STANDARDS

The General Assembly's Illinois Administrative Code database includes only those rulemakings that have been permanently adopted. This menu will point out the Sections on which an emergency rule (valid for a maximum of 150 days, usually until replaced by a permanent rulemaking) exists. The emergency rulemaking is linked through the notation that follows the Section heading in the menu.

SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

- [Section 1001.10 Applicability](#)
- [Section 1001.20 Definitions](#)
- [Section 1001.30 Right to Counsel](#)
- [Section 1001.40 Appearance of Attorney](#)
- [Section 1001.50 Special Appearance](#)
- [Section 1001.60 Substitution of Parties](#)
- [Section 1001.70 Commencement of Actions; Notice of Hearing](#)
- [Section 1001.80 Motions](#)
- [Section 1001.90 Form of Papers - Original Documents Required](#)
- [Section 1001.100 Conduct of Formal Hearings](#)
- [Section 1001.110 Orders; Notification; Time Limits on Obtaining Relief](#)
- [Section 1001.120 Record of Hearings](#)
- [Section 1001.130 Invalidity](#)

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

- [Section 1001.200 Applicability](#)
- [Section 1001.210 Definitions](#)
- [Section 1001.220 Hearings: Notice; Location; Procedures; Record](#)
- [Section 1001.230 Rules of Evidence](#)
- [Section 1001.240 Scope of Hearings](#)
- [Section 1001.250 Decisions and Orders](#)
- [Section 1001.260 Rehearings](#)
- [Section 1001.270 Judicial Review](#)
- [Section 1001.280 Invalidity](#)

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS IN DRIVER'S LICENSE SUSPENSIONS AND REVOCATIONS

- [Section 1001.300 Applicability](#)
- [Section 1001.310 Definitions](#)
- [Section 1001.320 Right to Representation](#)
- [Section 1001.330 Record and Reports](#)
- [Section 1001.340 Location of Hearings](#)
- [Section 1001.350 Duties and Responsibilities](#)
- [Section 1001.360 Decisions; Time Limits on Obtaining Relief](#)
- [Section 1001.370 Invalidity](#)

SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS, REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

- [Section 1001.400 Applicability; Statement of Principle and Purpose](#)

- [Section 1001.410 Definitions](#)
- [Section 1001.420 General Provisions Relating to the Issuance of Restricted Driving Permits](#)
- [Section 1001.430 General Provisions for Reinstatement of Driving Privileges after Revocation](#)
- [Section 1001.440 Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations](#)
- [Section 1001.441 Procedures for Breath Alcohol Ignition Interlock Device Conditioned RDPs](#)
- [Section 1001.442 BAIID Provider Certification Procedures and Responsibilities; Certification of BAIIDs; Inspections; BAIID Installer's Responsibilities; Decertification of a BAIID Provider](#)
- [Section 1001.443 Breath Alcohol Ignition Interlock Device Multiple Offender - Compliance with Interlock Program](#)
- [Section 1001.444 Monitoring Device Driving Permit \(MDDP\) Provisions](#)
- [Section 1001.450 New Hearings](#)
- [Section 1001.460 Requests for Modification of Revocations and Suspensions](#)
- [Section 1001.465 Cancellation of Driving Privileges; Hearing to Contest and Show Cause Hearing](#)
- [Section 1001.470 Renewal, Correction and Cancellation of RDPs](#)
- [Section 1001.480 Unsatisfied Judgment Suspensions](#)
- [Section 1001.485 Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact](#)
- [Section 1001.490 Invalidity](#)

SUBPART E: FORMAL MEDICAL HEARINGS

- [Section 1001.500 Applicability](#)

- [Section 1001.510 Definitions](#)
- [Section 1001.520 Procedure](#)
- [Section 1001.530 Conduct of Medical Formal Hearings](#)
- [Section 1001.540 Subsequent Hearings](#)

**SUBPART F: ZERO TOLERANCE SUSPENSION OF DRIVING PRIVILEGES;
PERSONS UNDER THE AGE OF 21 YEARS; IMPLIED CONSENT HEARINGS;
RESTRICTED DRIVING PERMITS**

- [Section 1001.600 Applicability](#)
- [Section 1001.610 Definitions](#)
- [Section 1001.620 Burden of Proof](#)
- [Section 1001.630 Implied Consent Hearings; Religious Exception](#)
- [Section 1001.640 Implied Consent Hearings; Medical Exception](#)
- [Section 1001.650 Rebuttable Presumption](#)
- [Section 1001.660 Alcohol and Drug Education and Awareness Program](#)
- [Section 1001.670 Petitions for Restricted Driving Permits](#)
- [Section 1001.680 Form and Location of Hearings](#)
- [Section 1001.690 Invalidity](#)

SUBPART G: MOTOR VEHICLE FRANCHISE ACT

- [Section 1001.700 Applicability](#)
- [Section 1001.710 Definitions](#)
- [Section 1001.720 Organization of Motor Vehicle Review Board](#)
- [Section 1001.730 Motor Vehicle Review Board Meetings](#)
- [Section 1001.740 Board Fees](#)
- [Section 1001.750 Notice Of Protest](#)
- [Section 1001.760 Hearing Procedures](#)

- [Section 1001.770 Conduct of Protest Hearing](#)
- [Section 1001.780 Mandatory Settlement Conference](#)
- [Section 1001.785 Technical Issues](#)
- [Section 1001.790 Hearing Expenses; Attorney's Fees](#)
- [Section 1001.795 Invalidity](#)

SUBPART H: MISCELLANEOUS

- [Section 1001.800 Extension of Hearing Dates](#)
- [Section 1001.APPENDIX A BAIID Regions and Minimum Installation/Service Center Site Location Guidelines \(Repealed\)](#)

AUTHORITY: Subpart A implements Sections 2-113, 2-118, 6-108, 6-205, and 6-206 and is authorized by Sections 2-103 and 2-104 of the Illinois Vehicle Code [625 ILCS 5]. Subpart B implements Chapter 7 and is authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, and 2-114, and Ch. 7 of the Illinois Vehicle Code. Subpart C implements Sections 6-205(c) and 6-206(c)3 and is authorized by Sections 2-103 and 2-104 of the Illinois Vehicle Code. Subpart D is authorized by Sections 2-104 and 11-501 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code. Subpart E implements Sections 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, and 6-908 and is authorized by Sections 2-103, 2-104, 6-906, and 6-909 of the Illinois Vehicle Code. Subpart F implements Sections 2-113, 2-118, 6-208.2, 11-501.1, and 11-501.8 and is authorized by Sections 2-103, 2-104, and 11-501.8 of the Illinois Vehicle Code. Subpart G implements and is authorized by the Motor Vehicle Franchise Act [815 ILCS 710].

SOURCE: Adopted and codified at 7 Ill. Reg. 7501, effective June 17, 1983; amended at 8 Ill. Reg. 4220, effective April 1, 1984; emergency amendment at 9 Ill. Reg. 17030, effective October 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4558, effective March 18, 1986; amended at 11 Ill. Reg. 17844, effective October 15, 1987; amended at 13 Ill. Reg. 15803, effective October 1, 1989; amended at 14 Ill. Reg. 2601, effective February 15, 1990; amended at 14 Ill. Reg. 16041, effective October 1, 1990; emergency amendment at 16 Ill. Reg. 19926, effective December 8, 1992, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 2047, effective January 27, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6274, effective May 1, 1993; amended at 17 Ill. Reg. 8528, effective June 1, 1993; emergency amendment at 18 Ill. Reg. 7916, effective May 10, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 15127, effective September 21, 1994; emergency amendment at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 6667, effective May 1, 1995; emergency amendment at 20 Ill. Reg. 1626, effective January 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 8328, effective June 12, 1996; emergency

amendment at 20 Ill. Reg. 9355, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15773, effective November 28, 1996; amended at 23 Ill. Reg. 692, effective January 15, 1999; amended at 24 Ill. Reg. 19257, effective December 15, 2000; expedited correction at 25 Ill. Reg. 7352, effective December 15, 2000; emergency amendment at 25 Ill. Reg. 13790, effective October 15, 2001, for a maximum of 150 days; emergency expired on March 13, 2002; emergency amendment at 25 Ill. Reg. 14979, effective November 9, 2001, for a maximum of 150 days; emergency expired on April 7, 2002; amended at 26 Ill. Reg. 9380, effective June 13, 2002; amended at 26 Ill. Reg. 13347, effective August 21, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 14706, effective September 20, 2002, for a maximum of 150 days; emergency expired on February 16, 2003; amended at 27 Ill. Reg. 5969, effective March 31, 2003; amended at 27 Ill. Reg. 13577, effective August 1, 2003; amended at 28 Ill. Reg. 12123, effective September 1, 2004; amended at 28 Ill. Reg. 15804, effective November 19, 2004; amended at 31 Ill. Reg. 6185, effective May 1, 2007; amended at 31 Ill. Reg. 14837, effective November 1, 2007; amended at 33 Ill. Reg. 282, effective January 1, 2009; emergency amendment at 35 Ill. Reg. 3848, effective February 15, 2011, for a maximum of 150 days; amended at 35 Ill. Reg. 10934, effective June 21, 2011; amended at 36 Ill. Reg. 7300, effective April 30, 2012; amended at 37 Ill. Reg. 5844, effective April 19, 2013; amended at 39 Ill. Reg. 2718, effective February 6, 2015; amended at 40 Ill. Reg. 834, effective December 31, 2015; amended at 40 Ill. Reg. 6158, effective March 23, 2016; amended at 41 Ill. Reg. 473, effective December 28, 2016; amended at 42 Ill. Reg. 16921, effective September 5, 2018; emergency amendment at 44 Ill. Reg. 5824, effective March 17, 2020, for a maximum of 150 days; emergency amendment to emergency rule at 44 Ill. Reg. 6634, effective April 9, 2020, for the remainder of the 150 days; emergency amendment effective March 17, 2020, as amended April 9, 2020, repealed at 44 Ill. Reg. 11588, effective June 30, 2020; emergency amendment at 44 Ill. Reg. 11882, effective June 30, 2020, for a maximum of 150 days; amended at 44 Ill. Reg. 14243, effective August 19, 2020; amended at 44 Ill. Reg. 18734, effective November 13, 2020; amended at 45 Ill. Reg. 14985, effective November 12, 2021.



State of Illinois
Liquor Control Commission

The Bottom Line

A College Parent's Guide On Underage Drinking



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This handbook was produced with the advice of college professionals in the fields of education, family therapy, student health and wellness.

Don't Be Sorry

Illinois Liquor Control Commission



Do you know the consequences of your teen's behavior?

So, your kid is off to college. What an exciting adventure ahead for this young adult! As a parent of a college student, you want your son or daughter to have a productive and enjoyable college experience. For most of you, it is the first time your children are spending long periods of time away from home. As they make the transition to the campus culture, are you prepared to discuss the pressures many students feel in a new social setting?

While they face many pressures, one of the most important matters to discuss is underage drinking. Parents should address this subject with every college student. It is important that you as a parent communicate the laws and consequences of underage drinking so your son or daughter can make responsible choices.

The Illinois Liquor Control Commission has produced this brochure to provide you with the "Bottom Line" facts regarding the underage drinking laws in Illinois. We hope that you share this information with your son or daughter as they begin a new life on their own at college.



Did you know that minors could lose their drivers' licenses for having a **single drink of alcohol?**

The State of Illinois enforces a strict **"Use It and Lose It"** zero tolerance law for underage drinking and driving. Under Illinois law, drivers under the age of 21 found with any trace of alcohol in their system will lose their driving privileges. Even if your son or daughter is not behind the wheel, underage drinking is a misdemeanor punishable by a fine up to \$500 and/or jail time up to six months.

"Use It & Lose It" Penalties

Offense	Loss of license
Test Failure 1st Violation	3 months
Test Refusal 1st Violation	6 months
Test Failure 2nd Violation (before age 21)	1 year
Test Refusal 2nd Violation	2 years

The Illinois Zero Tolerance Law:

Anyone under 21 arrested while drinking and driving could face a three-month driver's license suspension for a first offense. Consumption of **just one can of beer** can result in a suspension.

Effect on driving record

"Use It & Lose It"

A suspension remains on the public record during the suspension period. It is removed from the record if no subsequent violations occur.



Some **important facts** to **remember**

- Possession of alcohol by an individual under the age of 21 – **regardless of whether they are driving at the time** – can result in a three-month suspension of driving privileges, even if you receive court supervision for the infraction. The penalty increases to a six-month suspension for first conviction, one year for second conviction, and license revocation for subsequent convictions.
- Contrary to popular opinion, **not all college students drink alcohol**. During a recent survey of college students, over a third of underage college students reported they did not consume ANY alcohol in the past 30 days.
- The higher the average number of drinks a student consumes, the lower their reported grades. For example, students with an "A" grade point average reported a consumption rate of approximately four drinks per week, while "D" students consumed nearly ten drinks per week on average.
- Parents who allow underage drinking in their home while they are present can be charged with a misdemeanor, punishable with a fine up to \$2,500 and possible jail time. Parents are subject to a felony – **up to three years in prison and a \$25,000 fine** – if the underage drinking leads to serious injury or death.

Possession or use of a fake driver's license or state ID:

Penalty: Class A Misdemeanor (automatic one-year suspension of your driver's license, up to one year in jail, and fines up to \$2,500).

Displaying another person's driver's license or state ID as your own or lending yours to another person:

Penalty: Class A Misdemeanor (automatic one-year suspension driver's license suspension for both parties, up to one year in jail, and fines up to \$2,500).

Altering or manufacturing a driver's license or state ID:

Penalty: Class 4 Felony (automatic one-year driver's license suspension plus up to three years in prison and a \$25,000 fine).

What are the penalties if a minor is convicted of a **DUI**?

In Illinois, the DUI laws are tougher and more expensive on minors than adults. Bail money, an attorney, fines, court costs, installation of the required breath-activated ignition device, and remedial education or treatment programs – not to mention the skyrocketing cost of the resulting high-risk insurance – are just some of the consequences for DUI offenders. If convicted of a DUI, an automatic two-year suspension of your child's driver's license will cost time, possible loss of work and probably lots of inconvenience and extra driving for parents.

Consequences of DUI convictions

Offense	Consequences
1st CONVICTION	Up to a year in jail and fines up to \$2,500. two-year minimum revocation of driver's license. Not eligible for driving relief (for example, driving to work to school) until the second year.
2nd CONVICTION	Up to a year in jail and fines up to \$2,500. Revocation of driver's license for minimum of five years or until age 21, whichever is longer. Mandatory minimum imprisonment of five days (or 240 hours of community service).
AGGRAVATED DUI:	Any DUI resulting in a felony charge, including a DUI resulting in great bodily harm or death; a third or subsequent DUI conviction; or committing a DUI without a valid license, permit, or insurance. PENALTIES INCLUDE: <ul style="list-style-type: none"> ● Imprisonment of up to 14 years for DUI resulting in the loss of life. ● Imprisonment of up to 28 years for multiple fatalities. ● Felony charges vary for offense from a Class 4 felony (one to three years imprisonment) to a Class X felony (6-30 years). ● Minimum revocation periods vary for offense from a minimum of one year to mandatory life.



Estimated cost of a **DUI** in Illinois

Item	Costs	Total
Insurance	High-risk insurance - \$1,500/yr (required for three years)	\$4,500
Legal Fees	Uncontested plea and hardship Driving permit ...	\$2,000
Court Costs	Up to a \$2,500 fine, \$750 for DUI Court trial, \$250 for reimbursements to law enforcement, towing, and storage fees, \$100 trauma center fund	\$3,600
Rehabilitation	Remedial substance abuse class at \$50 and counseling fees at \$200	\$250
Driver's License	\$500 reinstatement fee, plus \$30 for new license and \$50 formal hearing fee	\$580
BAIID	\$100 for installation of BAIID (Breath Alcohol Ignition Interlock Device), \$960/year rental fee (\$80 per month), \$360/year monitoring fee (\$30 per month)	\$1,420
Total Estimated Cost		\$12,350

Additional costs associated with a DUI Crash

Consequences	Costs
Medical treatment for a crash involving injuries or fatalities	\$100,000+
Compensatory damages awarded to crash survivors	\$10,000+
In-patient substance abuse programs	\$3,500+
Legal fees for trials and civil proceedings	\$5,000+

How are parents held **accountable?**

Studies have shown that alcohol can impair a young person's judgment when it comes to attending classes, driving an automobile and sexual behavior. The wrong decisions could ruin their college experience and lead to unnecessary consequences.

Parents can also make the wrong decisions by allowing their underage son or daughter to drink. In Illinois, tougher laws are increasingly focused on the making the parents responsible for the illegal actions of their children. On the following page, we have outlined the laws and consequences that specifically target parents.

Parental responsibilities and consequences

Parental responsibility LAW:

Applies to parents or guardians who knowingly allow underage drinking at parties in their homes. Penalties: Class A misdemeanor with possible imprisonment for up to one year and fines of \$500 to \$2,500. Felony charges (1-3 years in prison and up to a \$25,000) can be filed against the parents if underage drinking leads to serious injury or death.

Civil lawsuits:

If your underage child has been involved in a crash that injures another person, parents may be sued for monetary damages.

Hotel/Motel responsibility LAW:

Applies to anyone over 21 who knowingly rents a room or pays for a hotel room or facility knowing alcohol will be served to underage individuals. Penalties: Class A misdemeanor with imprisonment up to one year and fines up to \$2,000. Persons over 21 paying for the hotel room will be liable for any injuries or damage to persons or property caused by the underage drinkers.

Providing alcohol to a minor:

Providing alcohol to an individual under the age of 21.

Penalties: Up to a \$2,500 fine and a possible prison term.

Conversations to have with your child

- 36% of teen drivers killed in motor-vehicle crashes had alcohol in their system at the time of the crash.
- Encourage your student to call for help if a friend is in a dangerous situation that requires medical intervention.
- Colleges and universities usually provide counseling services for anything from academic support to alcohol dependence. Let your college-bound child know these services are available.
- Encourage your son or daughter to confront a friend they suspect might have a problem with alcohol.
- According to a study published in the June 2011 issue of *Injury Prevention*, college students who reported alcohol-induced memory blackouts are at a higher risk of alcohol-related injuries than those who didn't blackout.
- College students are the most at risk to die of alcohol poisoning, and more than half of those who die are under the legal drinking age of 21. Additionally, college freshmen are the most susceptible to succumbing to an alcohol poisoning episode.



What should you be doing as a parent of a college-age child?

Parents continue to have a strong influence on their children, even when they go away to college – and **students are at their greatest risk during the first six weeks of school.**

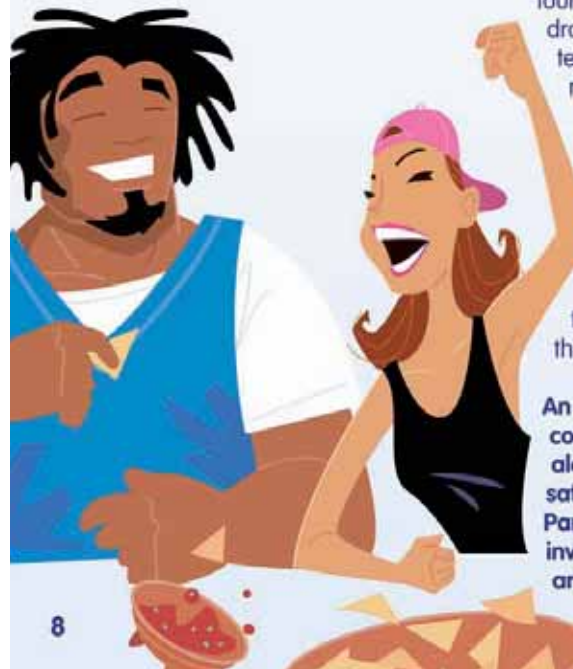
Students are at their greatest risk during the first six weeks of school. Help your son or daughter avoid falling into the wrong crowd or making bad decisions regarding alcohol by keeping in contact with them. You may want to call, write, text or e-mail frequently and be open and supportive. Ask questions such as: Do you like your classes? What is the party scene like? What kinds of activities are available? Are you enjoying dorm life? How are you getting along with your roommate? Are you feeling overwhelmed? What can we do to help?

It is important to remember that a more permissive parenting approach to alcohol can encourage drinking – and not necessarily safe, responsible drinking. A study in the May 2011 issue of the *Journal of Studies on Alcohol and Drugs*

found that high school children who drank alcohol in front of their parents tended to drink more and encounter more alcohol-related trouble later on, including more fights, blackouts, regrettable sex, and binge-drinking incidents.

Remind your children of family beliefs and values regarding alcohol. Let them know that you trust them and want them to get the most out of their college years.

An important responsibility of any college or university is to monitor alcohol use on campus for the safety and welfare of all students. Parents can help by staying involved with their kids when they are at college.



The **bottom** Line

- You can help deter drinking problems by setting a good example. Be moderate or abstain in your own use of alcohol. "Do as I say, not as I do" just doesn't cut it with this group.
- Set reasonable but firm rules that you plan to enforce. Explain the facts about alcohol as well as your family's opinions.
- Teach your children about true friendship. When peer pressure hits, they'll be able to stand up to their friends. You should get to know their friends.
- Don't be naive. Watch for signs of abuse such as different friends, missing money and withdrawal from the family. If you sense a problem, seek help. It could save their life.
- Let your son or daughter know that the majority of college students don't abuse alcohol.
- Get Involved! Keep the communication lines open. Know the laws and the consequences of underage drinking and discuss them with your son or daughter.



Statistics listed in this publication was gathered from data compiled by the Illinois Higher Education Center, Illinois Secretary of State's Office, and Illinois Department of Transportation Division of Traffic Safety.



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For more information, visit www.DontBeSorry.org

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