

# Chapter 8: Driver's License Revocation, Suspension, Denial, Cancellation

Certain revocations, suspensions, denials and cancellations can remain on an individual's driving record permanently.

## Revocation

A revocation is the indefinite withdrawal of driving privileges by the Secretary of State's office. To regain driving privileges, a driver may be eligible to reapply for a license after a minimum of one year, unless otherwise noted.

The Secretary of State's office has the authority to revoke the driver's license of a repeat traffic offender. During the course of any revocation, a driver's vehicle registration may be suspended and notice is given accordingly.

The Secretary of State will immediately revoke the driving privileges of anyone who is convicted of a moving violation that caused a crash and resulted in the death of another person.

Other offenses for which a driver's license may be revoked include, but are not limited to:

- **Aggravated DUI** — Causing personal injury or death as a result of a DUI; having a prior conviction of reckless homicide or aggravated DUI involving a death and committing a DUI; receiving a third or subsequent DUI conviction; committing a DUI without a valid license, permit or vehicle insurance; or committing a DUI violation while transporting children on a school bus.
- **Aggravated Fleeing the Police** — Driving away from the police when directed to stop.
- **Aggravated Reckless Driving** — Driving resulting in great bodily harm, permanent disability or disfigurement to another person.
- **Auto Theft** — Stealing a motor vehicle or motor vehicle parts.
- **Drag Racing or Street Racing** — Illegally racing with another vehicle.
- **DUI** — Driving under the influence of alcohol, cannabis, other drugs and/or intoxicating compounds.
- **Felony Offense** — Using a vehicle while committing a serious crime.
- **Fraudulent ID** — Making or possessing the equipment to make, sell, use, attempt to use or assist another in using an unauthorized, non-governmental issued ID or driver's license.
- **Gang-related Activity** — A gang-related offense involving the use of a vehicle or an Illinois driver's license.
- **Leaving the Scene** — Leaving the scene of a crash that killed or injured someone.
- **Perjury** — Giving false information to the Secretary of State.
- **Reckless Conduct** — Reckless behavior involving a vehicle and resulting in injury or danger to another person.

- **Reckless Driving** — Conviction of three reckless driving offenses in 12 months or driving that results in great bodily harm, permanent disability or disfigurement to another person.
- **Reckless Homicide** — Driving recklessly, resulting in the death of another person.

## Suspension

A suspension is the temporary loss of driving privileges. When the suspension is for a specific length of time, a driver may regain driving privileges after the suspension has ended and a reinstatement fee has been paid. In some cases, the driver's license will not be returned until other requirements are met.

Offenses for which a driver's license may be suspended include, but are not limited to:

- **Automated Traffic Violations** — Failure to pay five or more unpaid automated traffic violations for violating a red-light signal or speeding or a combination thereof in a municipality.
- **Causing a Crash in a Construction Zone** — Failure to reduce speed or change lanes in a construction zone, which results in property damage to another or injury or death of another.
- **Child Visitation Abuse** — Suspension upon receipt of a court order indicating the driver has engaged in abuse of a child visitation order.
- **Drug/Alcohol Test Failure** — Failure of chemical testing following a DUI arrest disclosing a BAC of .08 percent or more, a THC level of either 5 nanograms or more per milliliter of whole blood or 10 nanograms or more per milliliter of other bodily substance or any trace of a controlled substance, or intoxicating compound.
- **Drug/Alcohol Test Refusal** — Refusal of chemical testing for drugs or alcohol after being arrested for DUI in Illinois or another state.
- **Drug or Sex Offense** — Committing a drug or sex crime while operating or in direct physical control of an automobile.
- **Failure to Appear Violations** — Failure to appear in court for any traffic citation.
- **Failure to Obey a Railroad-Crossing Signal** — Conviction of a second violation for failure to obey a railroad-crossing signal.
- **Failure to Pay Child Support** — Suspension for nonpayment of child support resulting from a court order or by direction of the Illinois Department of Healthcare and Family Services.
- **Failure to Yield to an Emergency Vehicle Using Audible and Visual Signals** (lights and sirens) — Failure to reduce speed and to change lanes away from a stationary emergency vehicle that results in property damage to another or injury or death to another.
- **Fraudulent Driver's License/ID Application** — Possessing, displaying or attempting to use an altered driver's license or ID card; using another person's license or ID card or allowing another person to use the license; or submitting a fraudulent application or allowing another person to submit documents for a fraudulent application.
- **Illegal Possession, Consumption, Purchase of Alcohol, or Accepting Alcohol as a Gift by a person under age 21.**

- **Illegal Transportation of Alcohol** — Illegal transportation of alcohol twice in 12 months if age 21 or older.
- **Illegal Transportation Under 21** — Illegal transportation of alcohol while under age 21.
- **Mandatory Insurance Violations** — Failure to file Financial Responsibility Insurance (SR-22) after receiving court supervision for driving without insurance, or having three or more tickets for driving without insurance.
- **Mandatory Insurance Conviction** — Driving without mandatory insurance.
- **Parking Violations** — Failure to pay for 10 or more unpaid parking violations in any municipality.
- **Railroad Crossing Violation** — Nonpayment of five or more violations.
- **School Bus Violations** — Failure to stop for a school bus picking up or dropping off children, or failure to pay five or more violations of yielding to a stopped school bus when recorded by a camera.
- **Speeding in a Construction Zone** — A second violation within two years of the previous violation of speeding in a construction zone when workers are present.
- **Theft of Motor Fuel** — Dispensing motor fuel into a container or fuel tank and leaving the premises without making payment.
- **Tollway Violation** — Failure to pay five or more toll violations and/or toll evasions.
- **Traffic Crashes** — Refusing or neglecting to report a traffic crash.
- **Traffic Violations** — Three traffic violation convictions during a 12-month period (If the driver is under age 21 at the time of arrest, two traffic violations within any 24-month period).
- **Unauthorized Parking in a Space Designated for Persons with Disabilities.**
- **Uninsured Crashes** — Being an at-fault driver in a traffic crash without insurance where damages are owed.
- **Zero Tolerance Violation** — An alcohol violation by a person under age 21.

Driving while a driver's license is suspended or revoked will result in an extension of the suspension or revocation period and may subject the driver to a period of incarceration. More information on actions that may cause the suspension or revocation of driving privileges is available in the *Illinois Vehicle Code*.

## Cancellation

Cancellation is the termination of driving privileges by formal action of the Secretary of State's office. Cancellation of a person's driver's license or permit will occur because of an error or defect in the license or because the licensee is no longer entitled to the license. Reapplication for a driver's license may be made only after the terms of the cancellation have been met.

The reasons a driver's license may be canceled include but are not limited to the following:

- **Medical Condition** — Being medically or visually unfit to safely operate a motor vehicle; failure to submit a medical or vision report when required; and failure to self-admit to a medical condition that may interfere with the safe operation of a motor vehicle.

- **Re-examination Requirement** — Failing to appear for a required re-examination; failing a portion of the test required on a mandatory re-examination.
- **Fraudulent Application** — Committing a fraudulent offense in the making of a driver's license or ID card application.
- **Ineligible** — Being unentitled to the license or permit.

## Denial

Denial is the temporary refusal of the privilege of applying for a driver's license and, in certain instances, an instruction permit. A denial can only be entered on the driving record of an individual under age 18 for conviction of one of the following offenses:

- **Mandatory revocation of driving privileges for offenses listed on pages 57-58** — A denial for these offenses prohibits individuals from applying for a driver's license or an instruction permit until their 18th birthday.
- **Driving without a valid driver's license or permit** — Such a denial forbids individuals from applying for a driver's license until their 18th birthday, while an application for an instruction permit is still allowed. If the person already has a driver's license, the driving privileges granted by that license are reduced to an instruction permit.
- **Serious moving violation** — The length of this type of denial is either nine months or until the person's 18th birthday, whichever is shorter. This denial only forbids an application for a driver's license. Instruction permit applications are still allowed. If the person already has a driver's license, the driving privileges granted are reduced to an instruction permit.
- **Crash Involving Bodily Harm or Death** — The Secretary of State's office may deny issuing or renewing a driver's license if the driver has been charged with an offense due to a crash resulting in serious injury or death of another. Alcohol need not play a factor in the crash.

## Special Driving Permits

An Illinois driver whose driving privileges have been revoked or suspended may be allowed to drive using special permits in certain cases. These permits are:

- **Restricted Driving Permit (RDP)** — Allows driving only during certain times and along specified routes for work-related or educational purposes, transporting a child in the home to and from day care or an acceptable educational institution, or to receive medical care or drug treatment. An RDP cannot be issued to a person under age 16.
- **Monitoring Device Driving Permit (MDDP)** — Allows a first-time DUI offender serving a statutory summary suspension to operate a motor vehicle. The MDDP is needed in order for individuals to have a Breath Alcohol Ignition Interlock Device (BAIID) installed on their vehicle. Issuance of the MDDP and installation of the BAIID allows drivers to legally operate a motor vehicle at any time of day or night as long as they do not consume alcohol prior to driving and do not tamper with the BAIID unit. An MDDP cannot be issued to a person under age 18.
- **Occupational Driving Permit (ODP)** — Allows a professional driver whose license has been suspended for three moving violations to operate a vehicle in conjunction with

employment. To qualify, the individual must drive for a living. This permit does not apply to commercial drivers.

- **Probationary License** — Allows a driver age 21 and over, whose license has been suspended for three moving violations in a 12-month period, to operate a vehicle during the period of suspension. The permit can be issued for no more than three months. This is issued in conjunction with a driver improvement activity that grants full driving privileges during a period of suspension for drivers ages 21 and over. The license may only be issued to a person suspended for three moving violations in a 12-month period and cannot be issued for more than three months.
- **Family Financial Responsibility Driving Permit (FRP)** — Allows a driver whose license was suspended for nonpayment of child support or child visitation abuse to operate a vehicle. This permit is only issued following a circuit judge's order or upon direction from the Illinois Department of Healthcare and Family Services.

## — Chapter 8 Study Questions —

1. An individual's driving privileges may be suspended under which of the following conditions?
  - a. Three reckless driving offenses in 12 months.
  - b. Drag or street racing.
  - c. Illegally transporting alcohol twice in 12 months by a person over age 21.
2. Driving privileges may be revoked for giving false information to the Secretary of State.  
 True       False