



Rep. Mary Beth Canty

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LRB104 17181 SPS 35492 a

1 AMENDMENT TO HOUSE BILL 5095

2 AMENDMENT NO. _____. Amend House Bill 5095 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Identification Card Act is
5 amended by changing Sections 5 and 11 as follows:

6 (15 ILCS 335/5)

7 Sec. 5. Applications.

8 (a) Any natural person who is a resident of the State of
9 Illinois may file an application for an identification card,
10 or for the renewal thereof, in a manner prescribed by the
11 Secretary. Each original application shall be completed by the
12 applicant in full and shall set forth the legal name,
13 residence address and zip code, social security number, if the
14 person has a social security number, birth date, sex and a
15 brief description of the applicant. The applicant shall be
16 photographed, unless the Secretary of State has provided by

1 rule for the issuance of identification cards without
2 photographs and the applicant is deemed eligible for an
3 identification card without a photograph under the terms and
4 conditions imposed by the Secretary of State. The applicant ~~and he or she~~
5 shall also submit any other information as the
6 Secretary may deem necessary or such documentation as the
7 Secretary may require to determine the identity of the
8 applicant, except as limited under subsection (a-5). In
9 addition to the residence address, the Secretary may allow the
10 applicant to provide a mailing address. If the applicant is an
11 employee of the Department of Children and Family Services
12 with a job title of "Child Protection Specialist Trainee",
13 "Child Protection Specialist", "Child Protection Advanced
14 Specialist", "Child Welfare Specialist Trainee", "Child
15 Welfare Specialist", or "Child Welfare Advanced Specialist" or
16 a judicial officer as defined in Section 1-10 of the Judicial
17 Privacy Act, or a public official as defined in Section 10 of
18 the Public Official Safety and Privacy Act, or a peace
19 officer, the applicant may elect to have his or her office or
20 work address in lieu of the applicant's residence or mailing
21 address. An applicant for an Illinois Person with a Disability
22 Identification Card must also submit with each original or
23 renewal application, on forms prescribed by the Secretary,
24 such documentation as the Secretary may require, establishing
25 that the applicant is a "person with a disability" as defined
26 in Section 4A of this Act, and setting forth the applicant's

1 type and class of disability as set forth in Section 4A of this
2 Act. For the purposes of this subsection (a), "peace officer"
3 means any person who by virtue of his or her office or public
4 employment is vested by law with a duty to maintain public
5 order or to make arrests for a violation of any penal statute
6 of this State, whether that duty extends to all violations or
7 is limited to specific violations.

8 (a-5) ~~The Upon the first issuance of a request for~~
9 ~~proposals for a digital driver's license and identification~~
10 ~~card issuance and facial recognition system issued after~~
11 ~~January 1, 2020 (the effective date of Public Act 101-513),~~
12 ~~and upon implementation of a new or revised system procured~~
13 ~~pursuant to that request for proposals, the Secretary shall~~
14 permit applicants to choose between "male", "female", or "X"
15 "~~non-binary~~" when designating the applicant's sex on the
16 identification card application form or when changing the sex
17 listed on an issued identification card. The sex designated by
18 the applicant shall be displayed on the identification card
19 issued to the applicant.

20 For an initial identification card, an applicant shall
21 designate a sex on the application form. If the applicant's
22 documents used to establish identity include a sex different
23 than the sex the applicant has designated, then the applicant
24 must submit a gender designation form.

25 An applicant who wants to change the sex listed on an
26 issued identification card must submit a gender designation

1 form.

2 The gender designation form shall only request the
3 applicant's information, gender designation statement,
4 attestation, and signature or mark. The applicant's
5 information required on the form shall be limited to name as
6 reflected on the applicant's current driver's license or
7 identification card, if applicable; current driver's license
8 or identification card number, if applicable; and residential
9 address of the applicant. The gender designation statement
10 shall allow the applicant to designate a sex on the
11 applicant's identification card as "male", "female", or "X".
12 The attestation shall state that the applicant swears, under
13 the penalty of perjury, that the request for the selected
14 gender designation is to ensure that the applicant's
15 identification card accurately reflects the applicant's gender
16 identity and is not for a fraudulent or unlawful purpose.

17 The Secretary of State shall not require any additional
18 question, documentation, support, certification, or
19 verification to change a gender marker.

20 The Secretary of State shall not require any documentation
21 other than the gender designation form to confirm the sex or
22 gender identity of the applicant.

23 (b) Beginning on or before July 1, 2015, for each original
24 or renewal identification card application under this Act, the
25 Secretary shall inquire as to whether the applicant is a
26 veteran for purposes of issuing an identification card with a

1 veteran designation under subsection (c-5) of Section 4 of
2 this Act. The acceptable forms of proof shall include, but are
3 not limited to, Department of Defense form DD-214, Department
4 of Defense form DD-256 for applicants who did not receive a
5 form DD-214 upon the completion of initial basic training,
6 Department of Defense form DD-2 (Retired), an identification
7 card issued under the federal Veterans Identification Card Act
8 of 2015, or a United States Department of Veterans Affairs
9 summary of benefits letter. If the document cannot be stamped,
10 the Illinois Department of Veterans Affairs shall provide a
11 certificate to the veteran to provide to the Secretary of
12 State. The Illinois Department of Veterans Affairs shall
13 advise the Secretary as to what other forms of proof of a
14 person's status as a veteran are acceptable.

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

1 For purposes of this subsection (b):

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

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

8 (b-1) An applicant who is eligible for Gold Star license
9 plates under Section 3-664 of the Illinois Vehicle Code may
10 apply for an identification card with space for a designation
11 as a Gold Star Family. The Secretary may waive any fee for this
12 application. If the Secretary does not waive the fee, any fee
13 charged to the applicant must be deposited into the Illinois
14 Veterans Assistance Fund. The Secretary is authorized to issue
15 rules to implement this subsection.

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

23 (d) The Secretary of State may accept, as proof of date of
24 birth and written signature for any applicant for a standard
25 identification card who does not have a social security number
26 or documentation issued by the United States Department of

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

9 (Source: P.A. 103-210, eff. 7-1-24; 103-888, eff. 8-9-24;
10 103-933, eff. 1-1-25; 104-234, eff. 8-15-25; 104-417, eff.
11 8-15-25; 104-443, eff. 1-1-26; revised 1-7-26.)

12 (15 ILCS 335/11) (from Ch. 124, par. 31)

13 Sec. 11. Records.

14 (a) The Secretary may make a search of his records and
15 furnish information as to whether a person has a current
16 Standard Illinois Identification Card or an Illinois Person
17 with a Disability Identification Card then on file, upon
18 receipt of a written application therefor accompanied with the
19 prescribed fee. However, the Secretary may not disclose
20 medical information concerning an individual to any person,
21 public agency, private agency, corporation or governmental
22 body unless the individual has submitted a written request for
23 the information or unless the individual has given prior
24 written consent for the release of the information to a
25 specific person or entity. This exception shall not apply to:

1 (1) offices and employees of the Secretary who have a need to
2 know the medical information in performance of their official
3 duties, or (2) orders of a court of competent jurisdiction.
4 When medical information is disclosed by the Secretary in
5 accordance with the provisions of this Section, no liability
6 shall rest with the Office of the Secretary of State as the
7 information is released for informational purposes only.

8 (b) Except as otherwise provided in this Section, the
9 Secretary may release personally identifying information only
10 to:

11 (1) officers and employees of the Secretary who have a
12 need to know that information for issuance of driver's
13 licenses, permits, or identification cards and
14 investigation of fraud or misconduct;

15 (2) other governmental agencies for use in their
16 official governmental functions;

17 (3) law enforcement agencies for a criminal or civil
18 investigation, except as restricted by subsections (g) and
19 (h);

20 (3-5) the State Board of Elections as may be required
21 by an agreement the State Board of Elections has entered
22 into with a multi-state voter registration list
23 maintenance system; or

24 (4) any entity that the Secretary has authorized, by
25 rule.

26 (c) Except as otherwise provided in this Section, the

1 Secretary may release highly restricted personal information
2 only to:

3 (1) officers and employees of the Secretary who have a
4 need to access the information for the issuance of
5 driver's licenses, permits, or identification cards and
6 investigation of fraud or misconduct;

7 (2) law enforcement officials for a criminal or civil
8 law enforcement investigation, except as restricted by
9 subsections (g) and (h);

10 (3) the State Board of Elections for the purpose of
11 providing the signature for completion of voter
12 registration; or

13 (4) any other entity the Secretary has authorized by
14 rule.

15 (d) Documents required to be submitted with an application
16 for an identification card to prove the applicant's identity
17 (name and date of birth), social security number or lack of a
18 social security number, written signature, residency, and, as
19 applicable, citizenship and immigration status and country of
20 citizenship shall be confidential and shall not be disclosed
21 except to the following persons:

22 (1) the individual to whom the identification card was
23 issued, upon written request;

24 (2) officers and employees of the Secretary of State
25 who have a need to have access to the stored images for
26 purposes of issuing and controlling driver's licenses,

1 permits, or identification cards and investigation of
2 fraud or misconduct;

3 (3) law enforcement officials for a civil or criminal
4 law enforcement investigation, except as restricted by
5 subsections (g) and (h);

6 (4) other entities that the Secretary may authorize by
7 rule.

8 (e) The Secretary may not disclose an individual's social
9 security number or any associated information obtained from
10 the Social Security Administration without the written request
11 or consent of the individual except: (i) to officers and
12 employees of the Secretary who have a need to know the social
13 security number in the performance of their official duties;
14 (ii) except as restricted by subsections (g) and (h) to law
15 enforcement officials for a civil or criminal law enforcement
16 investigation if an officer of the law enforcement agency has
17 made a written request to the Secretary specifying the law
18 enforcement investigation for which the social security number
19 is being sought; (iii) under a lawful court order signed by a
20 judge; (iv) to the Illinois Department of Veterans Affairs for
21 the purpose of confirming veteran status to agencies in other
22 states responsible for the issuance of state identification
23 cards for participation in State-to-State verification
24 service; or (v) the last 4 digits to the Illinois State Board
25 of Elections for purposes of voter registration and as may be
26 required pursuant to an agreement for a multi-state voter

1 registration list maintenance system. The Secretary retains
2 the right to require additional verification regarding the
3 validity of a request from law enforcement. If social security
4 information is disclosed by the Secretary in accordance with
5 this Section, no liability shall rest with the Office of the
6 Secretary of State or any of its officers or employees, as the
7 information is released for official purposes only.

8 (f) The Secretary of State shall not provide facial
9 recognition search services or photographs obtained in the
10 process of issuing an identification card to any federal,
11 State, or local law enforcement agency or other governmental
12 entity for the purpose of enforcing federal immigration laws.
13 This subsection shall not apply to requests from federal,
14 State, or local law enforcement agencies or other governmental
15 entities for facial recognition search services or photographs
16 obtained in the process of issuing a driver's license or
17 permit when the purpose of the request relates to criminal
18 activity other than violations of immigration laws.

19 (g) Notwithstanding any other provision of law, the
20 Secretary may not release highly restricted personal
21 information or personally identifying information or disclose
22 documents described in subsection (d) to any immigration
23 agent, as defined in Section 10 of the Illinois TRUST Act,
24 unless necessary to comply with the following, to the extent
25 that production of such information or documents is
26 specifically required:

1 (1) a lawful court order;

2 (2) a judicial warrant signed by a judge appointed
3 pursuant to Article III of the Constitution of the United
4 States; or

5 (3) a subpoena for individual records issued by a
6 federal or State court.

7 When responding to such a court order, warrant, or
8 subpoena, the Secretary shall disclose only those documents or
9 information specifically requested. Within 3 business days of
10 receiving such a court order, warrant, or subpoena, the
11 Secretary shall send a notification to the individual about
12 whom such information was requested that a court order,
13 warrant, or subpoena was received and the identity of the
14 entity that presented the court order, warrant, or subpoena.

15 (h) The Secretary shall not enter into or maintain any
16 agreement regarding the sharing of any highly restricted
17 personal information or personally identifying information or
18 documents described in subsection (d) unless all other parties
19 to such agreement certify that the information obtained will
20 not be used for civil immigration purposes or knowingly
21 disseminated to any third party for any purpose related to
22 civil immigration enforcement.

23 (i) The Secretary may not disclose or reveal the existence
24 of any gender designation form unless directed to do so by an
25 order of a court of competent jurisdiction.

26 (Source: P.A. 103-210, eff. 7-1-24; 104-234, eff. 8-15-25.)

1 Section 10. The Illinois Vehicle Code is amended by
2 changing Sections 2-110, 2-123, and 6-106 as follows:

3 (625 ILCS 5/2-110) (from Ch. 95 1/2, par. 2-110)

4 Sec. 2-110. Authority to grant or refuse applications.

5 The Secretary of State shall examine and determine the
6 genuineness, regularity and legality of every application for
7 registration of a vehicle, for a certificate of title
8 therefor, and for a driver's license and of any other
9 application lawfully made to the Secretary of State, and may
10 in all cases, except as limited under subsection (b-3) of
11 Section 6-106, make investigation and verify the information
12 and the authenticity of the documents submitted as may be
13 deemed necessary or require additional information, and shall
14 reject any such application if not satisfied of the
15 genuineness, regularity or legality thereof or the truth of
16 any statement contained therein, or for any other reason, when
17 authorized by law.

18 (Source: P.A. 93-895, eff. 1-1-05.)

19 (625 ILCS 5/2-123) (from Ch. 95 1/2, par. 2-123)

20 Sec. 2-123. Sale and distribution of information.

21 (a) Except as otherwise provided in this Section, the
22 Secretary may make the driver's license, vehicle and title
23 registration lists, in part or in whole, and any statistical

1 information derived from these lists available to local
2 governments, elected state officials, state educational
3 institutions, and all other governmental units of the State
4 and Federal Government requesting them for governmental
5 purposes. The Secretary shall require any such applicant for
6 services to pay for the costs of furnishing such services and
7 the use of the equipment involved, and in addition is
8 empowered to establish prices and charges for the services so
9 furnished and for the use of the electronic equipment
10 utilized.

11 (b) The Secretary is further empowered to and he may, in
12 his discretion, furnish to any applicant, other than listed in
13 subsection (a) of this Section, vehicle or driver data on a
14 computer tape, disk, other electronic format or computer
15 processable medium, or printout at a fixed fee of \$500, in
16 advance, and require in addition a further sufficient deposit
17 based upon the Secretary of State's estimate of the total cost
18 of the information requested and a charge of \$50, per 1,000
19 units or part thereof identified or the actual cost, whichever
20 is greater. The Secretary is authorized to refund any
21 difference between the additional deposit and the actual cost
22 of the request. This service shall not be in lieu of an
23 abstract of a driver's record nor of a title or registration
24 search. This service may be limited to entities purchasing a
25 minimum number of records as required by administrative rule.
26 The information sold pursuant to this subsection shall be the

1 entire vehicle or driver data list, or part thereof. The
2 information sold pursuant to this subsection shall not contain
3 personally identifying information unless the information is
4 to be used for one of the purposes identified in subsection
5 (f-5) of this Section. Commercial purchasers of driver and
6 vehicle record databases shall enter into a written agreement
7 with the Secretary of State that includes disclosure of the
8 commercial use of the information to be purchased.

9 (b-1) The Secretary is further empowered to and may, in
10 his or her discretion, furnish vehicle or driver data on a
11 computer tape, disk, or other electronic format or computer
12 processible medium, at no fee, to any State or local
13 governmental agency that uses the information provided by the
14 Secretary to transmit data back to the Secretary that enables
15 the Secretary to maintain accurate driving records, including
16 dispositions of traffic cases. This information may be
17 provided without fee not more often than once every 6 months.

18 (c) Secretary of State may issue registration lists. The
19 Secretary of State may compile a list of all registered
20 vehicles. Each list of registered vehicles shall be arranged
21 serially according to the registration numbers assigned to
22 registered vehicles and may contain in addition the names and
23 addresses of registered owners and a brief description of each
24 vehicle including the serial or other identifying number
25 thereof. Such compilation may be in such form as in the
26 discretion of the Secretary of State may seem best for the

1 purposes intended.

2 (d) The Secretary of State shall furnish no more than 2
3 current available lists of such registrations to the sheriffs
4 of all counties and to the chiefs of police of all cities and
5 villages and towns of 2,000 population and over in this State
6 at no cost. Additional copies may be purchased by the sheriffs
7 or chiefs of police at the fee of \$500 each or at the cost of
8 producing the list as determined by the Secretary of State.
9 Such lists are to be used for governmental purposes only.

10 (e) (Blank).

11 (e-1) (Blank).

12 (f) The Secretary of State shall make a title or
13 registration search of the records of his office and a written
14 report on the same for any person, upon written application of
15 such person, accompanied by a fee of \$5 for each registration
16 or title search. The written application shall set forth the
17 intended use of the requested information. No fee shall be
18 charged for a title or registration search, or for the
19 certification thereof requested by a government agency. The
20 report of the title or registration search shall not contain
21 personally identifying information unless the request for a
22 search was made for one of the purposes identified in
23 subsection (f-5) of this Section. The report of the title or
24 registration search shall not contain highly restricted
25 personal information unless specifically authorized by this
26 Code.

1 The Secretary of State shall certify a title or
2 registration record upon written request. The fee for
3 certification shall be \$5 in addition to the fee required for a
4 title or registration search. Certification shall be made
5 under the signature of the Secretary of State and shall be
6 authenticated by Seal of the Secretary of State.

7 The Secretary of State may notify the vehicle owner or
8 registrant of the request for purchase of his title or
9 registration information as the Secretary deems appropriate.

10 No information shall be released to the requester until
11 expiration of a 10-day period. This 10-day period shall not
12 apply to requests for information made by law enforcement
13 officials, government agencies, financial institutions,
14 attorneys, insurers, employers, automobile associated
15 businesses, persons licensed as a private detective or firms
16 licensed as a private detective agency under the Private
17 Detective, Private Alarm, Private Security, Fingerprint
18 Vendor, and Locksmith Act of 2004, who are employed by or are
19 acting on behalf of law enforcement officials, government
20 agencies, financial institutions, attorneys, insurers,
21 employers, automobile associated businesses, and other
22 business entities for purposes consistent with the Illinois
23 Vehicle Code, the vehicle owner or registrant or other
24 entities as the Secretary may exempt by rule and regulation.

25 Any misrepresentation made by a requester of title or
26 vehicle information shall be punishable as a petty offense,

1 except in the case of persons licensed as a private detective
2 or firms licensed as a private detective agency which shall be
3 subject to disciplinary sanctions under Section 40-10 of the
4 Private Detective, Private Alarm, Private Security,
5 Fingerprint Vendor, and Locksmith Act of 2004.

6 (f-5) The Secretary of State shall not disclose or
7 otherwise make available to any person or entity any
8 personally identifying information obtained by the Secretary
9 of State in connection with a driver's license, vehicle, or
10 title registration record unless the information is disclosed
11 for one of the following purposes:

12 (1) For use by any government agency, including any
13 court or law enforcement agency, in carrying out its
14 functions, or any private person or entity acting on
15 behalf of a federal, State, or local agency in carrying
16 out its functions.

17 (2) For use in connection with matters of motor
18 vehicle or driver safety and theft; motor vehicle
19 emissions; motor vehicle product alterations, recalls, or
20 advisories; performance monitoring of motor vehicles,
21 motor vehicle parts, and dealers; and removal of non-owner
22 records from the original owner records of motor vehicle
23 manufacturers.

24 (3) For use in the normal course of business by a
25 legitimate business or its agents, employees, or
26 contractors, but only:

1 (A) to verify the accuracy of personal information
2 submitted by an individual to the business or its
3 agents, employees, or contractors; and

4 (B) if such information as so submitted is not
5 correct or is no longer correct, to obtain the correct
6 information, but only for the purposes of preventing
7 fraud by, pursuing legal remedies against, or
8 recovering on a debt or security interest against, the
9 individual.

10 (4) For use in research activities and for use in
11 producing statistical reports, if the personally
12 identifying information is not published, redisclosed, or
13 used to contact individuals.

14 (5) For use in connection with any civil, criminal,
15 administrative, or arbitral proceeding in any federal,
16 State, or local court or agency or before any
17 self-regulatory body, including the service of process,
18 investigation in anticipation of litigation, and the
19 execution or enforcement of judgments and orders, or
20 pursuant to an order of a federal, State, or local court.

21 (6) For use by any insurer or insurance support
22 organization or by a self-insured entity or its agents,
23 employees, or contractors in connection with claims
24 investigation activities, antifraud activities, rating, or
25 underwriting.

26 (7) For use in providing notice to the owners of towed

1 or impounded vehicles.

2 (8) For use by any person licensed as a private
3 detective or firm licensed as a private detective agency
4 under the Private Detective, Private Alarm, Private
5 Security, Fingerprint Vendor, and Locksmith Act of 2004,
6 private investigative agency or security service licensed
7 in Illinois for any purpose permitted under this
8 subsection.

9 (9) For use by an employer or its agent or insurer to
10 obtain or verify information relating to a holder of a
11 commercial driver's license that is required under chapter
12 313 of title 49 of the United States Code.

13 (10) For use in connection with the operation of
14 private toll transportation facilities.

15 (11) For use by any requester, if the requester
16 demonstrates it has obtained the written consent of the
17 individual to whom the information pertains.

18 (12) For use by members of the news media, as defined
19 in Section 1-148.5, for the purpose of newsgathering when
20 the request relates to the operation of a motor vehicle or
21 public safety.

22 (13) For any other use specifically authorized by law,
23 if that use is related to the operation of a motor vehicle
24 or public safety.

25 (f-6) The Secretary of State shall not disclose or
26 otherwise make available to any person or entity any highly

1 restricted personal information obtained by the Secretary of
2 State in connection with a driver's license, vehicle, or title
3 registration record unless specifically authorized by this
4 Code.

5 (g) 1. The Secretary of State may, upon receipt of a
6 written request and a fee as set forth in Section 6-118,
7 furnish to the person or agency so requesting a driver's
8 record or data contained therein. Such document may include a
9 record of: current driver's license issuance information,
10 except that the information on judicial driving permits shall
11 be available only as otherwise provided by this Code;
12 convictions; orders entered revoking, suspending or cancelling
13 a driver's license or privilege; and notations of crash
14 involvement. All other information, unless otherwise permitted
15 by this Code, shall remain confidential. Information released
16 pursuant to a request for a driver's record shall not contain
17 personally identifying information, unless the request for the
18 driver's record was made for one of the purposes set forth in
19 subsection (f-5) of this Section. The Secretary of State may,
20 without fee, allow a parent or guardian of a person under the
21 age of 18 years, who holds an instruction permit or graduated
22 driver's license, to view that person's driving record online,
23 through a computer connection. The parent or guardian's online
24 access to the driving record will terminate when the
25 instruction permit or graduated driver's license holder
26 reaches the age of 18.

1 2. The Secretary of State shall not disclose or otherwise
2 make available to any person or entity any highly restricted
3 personal information obtained by the Secretary of State in
4 connection with a driver's license, vehicle, or title
5 registration record unless specifically authorized by this
6 Code. The Secretary of State may certify an abstract of a
7 driver's record upon written request therefor. Such
8 certification shall be made under the signature of the
9 Secretary of State and shall be authenticated by the Seal of
10 his office.

11 3. All requests for driving record information shall be
12 made in a manner prescribed by the Secretary and shall set
13 forth the intended use of the requested information.

14 The Secretary of State may notify the affected driver of
15 the request for purchase of his driver's record as the
16 Secretary deems appropriate.

17 No information shall be released to the requester until
18 expiration of a 10-day period. This 10-day period shall not
19 apply to requests for information made by law enforcement
20 officials, government agencies, financial institutions,
21 attorneys, insurers, employers, automobile associated
22 businesses, persons licensed as a private detective or firms
23 licensed as a private detective agency under the Private
24 Detective, Private Alarm, Private Security, Fingerprint
25 Vendor, and Locksmith Act of 2004, who are employed by or are
26 acting on behalf of law enforcement officials, government

1 agencies, financial institutions, attorneys, insurers,
2 employers, automobile associated businesses, and other
3 business entities for purposes consistent with the Illinois
4 Vehicle Code, the affected driver or other entities as the
5 Secretary may exempt by rule and regulation.

6 Any misrepresentation made by a requester of driver
7 information shall be punishable as a petty offense, except in
8 the case of persons licensed as a private detective or firms
9 licensed as a private detective agency which shall be subject
10 to disciplinary sanctions under Section 40-10 of the Private
11 Detective, Private Alarm, Private Security, Fingerprint
12 Vendor, and Locksmith Act of 2004.

13 4. The Secretary of State may furnish without fee, upon
14 the written request of a law enforcement agency, any
15 information from a driver's record on file with the Secretary
16 of State when such information is required in the enforcement
17 of this Code or any other law relating to the operation of
18 motor vehicles, including records of dispositions; documented
19 information involving the use of a motor vehicle; whether such
20 individual has, or previously had, a driver's license; and the
21 address and personal description as reflected on said driver's
22 record.

23 5. Except as otherwise provided in this Section, the
24 Secretary of State may furnish, without fee, information from
25 an individual driver's record on file, if a written request
26 therefor is submitted by any public transit system or

1 authority, public defender, law enforcement agency, a state or
2 federal agency, or an Illinois local intergovernmental
3 association, if the request is for the purpose of a background
4 check of applicants for employment with the requesting agency,
5 or for the purpose of an official investigation conducted by
6 the agency, or to determine a current address for the driver so
7 public funds can be recovered or paid to the driver, or for any
8 other purpose set forth in subsection (f-5) of this Section.

9 The Secretary may also furnish the courts a copy of an
10 abstract of a driver's record, without fee, subsequent to an
11 arrest for a violation of Section 11-501 or a similar
12 provision of a local ordinance. Such abstract may include
13 records of dispositions; documented information involving the
14 use of a motor vehicle as contained in the current file;
15 whether such individual has, or previously had, a driver's
16 license; and the address and personal description as reflected
17 on said driver's record.

18 6. Any certified abstract issued by the Secretary of State
19 or transmitted electronically by the Secretary of State
20 pursuant to this Section, to a court or on request of a law
21 enforcement agency, for the record of a named person as to the
22 status of the person's driver's license shall be prima facie
23 evidence of the facts therein stated and if the name appearing
24 in such abstract is the same as that of a person named in an
25 information or warrant, such abstract shall be prima facie
26 evidence that the person named in such information or warrant

1 is the same person as the person named in such abstract and
2 shall be admissible for any prosecution under this Code and be
3 admitted as proof of any prior conviction or proof of records,
4 notices, or orders recorded on individual driving records
5 maintained by the Secretary of State.

6 7. Subject to any restrictions contained in the Juvenile
7 Court Act of 1987, and upon receipt of a proper request and a
8 fee as set forth in Section 6-118, the Secretary of State shall
9 provide a driver's record or data contained therein to the
10 affected driver, or the affected driver's attorney, upon
11 verification. Such record shall contain all the information
12 referred to in paragraph 1 of this subsection (g) plus: any
13 recorded crash involvement as a driver; information recorded
14 pursuant to subsection (e) of Section 6-117 and paragraph (4)
15 of subsection (a) of Section 6-204 of this Code. All other
16 information, unless otherwise permitted by this Code, shall
17 remain confidential.

18 (h) The Secretary shall not disclose social security
19 numbers or any associated information obtained from the Social
20 Security Administration except pursuant to a written request
21 by, or with the prior written consent of, the individual
22 except: (1) to officers and employees of the Secretary who
23 have a need to know the social security numbers in performance
24 of their official duties, (2) to law enforcement officials for
25 a civil or criminal law enforcement investigation, and if an
26 officer of the law enforcement agency has made a written

1 request to the Secretary specifying the law enforcement
2 investigation for which the social security numbers are being
3 sought, though the Secretary retains the right to require
4 additional verification regarding the validity of the request,
5 (3) to the United States Department of Transportation, or any
6 other State, pursuant to the administration and enforcement of
7 the Commercial Motor Vehicle Safety Act of 1986 or
8 participation in State-to-State verification service, (4)
9 pursuant to the order of a court of competent jurisdiction,
10 (5) to the Department of Healthcare and Family Services
11 (formerly Department of Public Aid) for utilization in the
12 child support enforcement duties assigned to that Department
13 under provisions of the Illinois Public Aid Code after the
14 individual has received advanced meaningful notification of
15 what redisclosure is sought by the Secretary in accordance
16 with the federal Privacy Act, (5.5) to the Department of
17 Healthcare and Family Services and the Department of Human
18 Services solely for the purpose of verifying Illinois
19 residency where such residency is an eligibility requirement
20 for benefits under the Illinois Public Aid Code or any other
21 health benefit program administered by the Department of
22 Healthcare and Family Services or the Department of Human
23 Services, (6) to the Illinois Department of Revenue solely for
24 use by the Department in the collection of any tax or debt that
25 the Department of Revenue is authorized or required by law to
26 collect, provided that the Department shall not disclose the

1 social security number to any person or entity outside of the
2 Department, (7) to the Illinois Department of Veterans Affairs
3 for the purpose of confirming veteran status, or (8) the last 4
4 digits to the Illinois State Board of Elections for purposes
5 of voter registration and as may be required pursuant to an
6 agreement for a multi-state voter registration list
7 maintenance system. If social security information is
8 disclosed by the Secretary in accordance with this Section, no
9 liability shall rest with the Office of the Secretary of State
10 or any of its officers or employees, as the information is
11 released for official purposes only.

12 (i) (Blank).

13 (j) Medical statements, ~~or~~ medical reports, and gender
14 designation forms received in the Secretary of State's Office
15 shall be confidential. Except as provided in this Section, no
16 confidential information may be open to public inspection or
17 the contents disclosed to anyone, except officers and
18 employees of the Secretary who have a need to know the
19 information contained in the medical reports and the Driver
20 License Medical Advisory Board, unless so directed by an order
21 of a court of competent jurisdiction. The Secretary may not
22 disclose or reveal the existence of any gender designation
23 form unless directed to do so by an order of a court of
24 competent jurisdiction. If the Secretary receives a medical
25 report regarding a driver that does not address a medical
26 condition contained in a previous medical report, the

1 Secretary may disclose the unaddressed medical condition to
2 the driver or his or her physician, or both, solely for the
3 purpose of submission of a medical report that addresses the
4 condition.

5 (k) Beginning July 1, 2023, disbursement of fees collected
6 under this Section shall be as follows: (1) of the \$20 fee for
7 a driver's record, \$11 shall be paid into the Secretary of
8 State Special Services Fund, and \$6 shall be paid into the
9 General Revenue Fund; (2) 50% of the amounts collected under
10 subsection (b) shall be paid into the General Revenue Fund;
11 and (3) all remaining fees shall be disbursed under subsection
12 (g) of Section 2-119 of this Code.

13 (l) (Blank).

14 (m) Notations of crash involvement that may be disclosed
15 under this Section shall not include notations relating to
16 damage to a vehicle or other property being transported by a
17 tow truck. This information shall remain confidential,
18 provided that nothing in this subsection (m) shall limit
19 disclosure of any notification of crash involvement to any law
20 enforcement agency or official.

21 (n) Requests made by the news media for driver's license,
22 vehicle, or title registration information may be furnished
23 without charge or at a reduced charge, as determined by the
24 Secretary, when the specific purpose for requesting the
25 documents is deemed to be in the public interest. Waiver or
26 reduction of the fee is in the public interest if the principal

1 purpose of the request is to access and disseminate
2 information regarding the health, safety, and welfare or the
3 legal rights of the general public and is not for the principal
4 purpose of gaining a personal or commercial benefit. The
5 information provided pursuant to this subsection shall not
6 contain personally identifying information unless the
7 information is to be used for one of the purposes identified in
8 subsection (f-5) of this Section.

9 (o) The redisclosure of personally identifying information
10 obtained pursuant to this Section is prohibited, except to the
11 extent necessary to effectuate the purpose for which the
12 original disclosure of the information was permitted.

13 (p) The Secretary of State is empowered to adopt rules to
14 effectuate this Section.

15 (Source: P.A. 103-8, eff. 7-1-23; 104-234, eff. 8-15-25.)

16 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

17 Sec. 6-106. Application for license or instruction permit.

18 (a) Every application for any permit or license authorized
19 to be issued under this Code shall be made upon a form
20 furnished by the Secretary of State. Every application shall
21 be accompanied by the proper fee and payment of such fee shall
22 entitle the applicant to not more than 3 attempts to pass the
23 examination within a period of one year after the date of
24 application.

25 (b) Every application shall state the legal name, zip

1 code, date of birth, sex, and residence address of the
2 applicant; briefly describe the applicant; state whether the
3 applicant has theretofore been licensed as a driver, and, if
4 so, when and by what state or country, and whether any such
5 license has ever been canceled, suspended, revoked or refused,
6 and, if so, the date and reason for such cancellation,
7 suspension, revocation or refusal; shall include an
8 affirmation by the applicant that all information set forth is
9 true and correct; and shall bear the applicant's signature. In
10 addition to the residence address, the Secretary may allow the
11 applicant to provide a mailing address. In the case of an
12 applicant who is a judicial officer, public official, or peace
13 officer, the Secretary may allow the applicant to provide an
14 office or work address in lieu of a residence or mailing
15 address. The application form may also require the statement
16 of such additional relevant information as the Secretary of
17 State shall deem necessary to determine the applicant's
18 competency and eligibility. The Secretary of State may, in his
19 discretion, by rule or regulation, provide that an application
20 for a driver's ~~drivers~~ license or permit may include a
21 suitable photograph of the applicant in the form prescribed by
22 the Secretary, and he may further provide that each driver's
23 ~~drivers~~ license shall include a photograph of the driver. The
24 Secretary of State may utilize a photograph process or system
25 most suitable to deter alteration or improper reproduction of
26 a driver's ~~drivers~~ license and to prevent substitution of

1 another photo thereon. For the purposes of this subsection
2 (b):

3 "Peace officer" means any person who by virtue of his or
4 her office or public employment is vested by law with a duty to
5 maintain public order or to make arrests for a violation of any
6 penal statute of this State, whether that duty extends to all
7 violations or is limited to specific violations.

8 "Public official" has the meaning given in Section 10 of
9 the Public Official Safety and Privacy Act.

10 (b-1) Every application shall state the social security
11 number of the applicant; except if the applicant is applying
12 for a standard driver's license and, on the date of
13 application, is ineligible for a social security number, then:

14 (1) if the applicant has documentation, issued by the
15 United States Department of Homeland Security, authorizing
16 the applicant's presence in this country, the applicant
17 shall provide such documentation instead of a social
18 security number; and

19 (2) if the applicant does not have documentation
20 described in paragraph (1), the applicant shall provide,
21 instead of a social security number, the following:

22 (A) documentation establishing that the applicant
23 has resided in this State for a period in excess of one
24 year;

25 (B) a passport validly issued to the applicant
26 from the applicant's country of citizenship or a

1 consular identification document validly issued to the
2 applicant by a consulate of that country as defined in
3 Section 5 of the Consular Identification Document Act,
4 as long as such documents are either unexpired or
5 presented by an applicant within 2 years of its
6 expiration date; and

7 (C) a social security card, if the applicant has a
8 social security number.

9 (b-3) ~~The Upon the first issuance of a request for~~
10 ~~proposals for a digital driver's license and identification~~
11 ~~card issuance and facial recognition system issued after~~
12 ~~January 1, 2020 (the effective date of Public Act 101-513),~~
13 ~~and upon implementation of a new or revised system procured~~
14 ~~pursuant to that request for proposals, the Secretary shall~~
15 permit applicants to choose between "male", "female" or "X"
16 "~~non binary~~" when designating the applicant's sex on the
17 driver's license or permit application form or when changing
18 the sex listed on an issued driver's license or permit. The sex
19 designated by the applicant shall be displayed on the driver's
20 license or permit issued to the applicant.

21 For an initial driver's license or permit, an applicant
22 shall designate a sex on the application form. If the
23 applicant's documents used to establish identity include a sex
24 different than the sex the applicant has designated, then the
25 applicant must submit a gender designation form.

26 An applicant who wants to change the sex listed on an

1 issued driver's license or permit must submit a gender
2 designation form.

3 The gender designation form shall only request the
4 applicant's information, gender designation statement,
5 attestation, and signature or mark. The applicant's
6 information required on the form shall be limited to name as
7 reflected on the applicant's current driver's license or
8 identification card, if applicable; current driver's license
9 or identification card number, if applicable; and residential
10 address of the applicant. The gender designation statement
11 shall allow the applicant to designate a sex on the
12 applicant's driver's license or permit as "male", "female", or
13 "X". The attestation shall state that the applicant swears,
14 under the penalty of perjury, that the request for the
15 selected gender designation is to ensure that the applicant's
16 driver's license or permit accurately reflects the applicant's
17 gender identity and is not for a fraudulent or unlawful
18 purpose.

19 The Secretary of State shall not require any additional
20 question, documentation, support, certification, or
21 verification to change a gender marker.

22 The Secretary of State shall not require any documentation
23 other than the gender designation form to confirm the sex or
24 gender identity of the applicant.

25 (b-5) Every applicant for a REAL ID compliant driver's
26 license or permit shall provide proof of lawful status in the

1 United States as defined in 6 CFR 37.3, as amended.

2 (c) The application form shall include a notice to the
3 applicant of the registration obligations of sex offenders
4 under the Sex Offender Registration Act. The notice shall be
5 provided in a form and manner prescribed by the Secretary of
6 State. For purposes of this subsection (c), "sex offender" has
7 the meaning ascribed to it in Section 2 of the Sex Offender
8 Registration Act.

9 (d) Any male United States citizen or immigrant who
10 applies for any permit or license authorized to be issued
11 under this Code or for a renewal of any permit or license, and
12 who is at least 18 years of age but less than 26 years of age,
13 must be registered in compliance with the requirements of the
14 federal Military Selective Service Act. The Secretary of State
15 must forward in an electronic format the necessary personal
16 information regarding the applicants identified in this
17 subsection (d) to the Selective Service System. The
18 applicant's signature on the application serves as an
19 indication that the applicant either has already registered
20 with the Selective Service System or that he is authorizing
21 the Secretary to forward to the Selective Service System the
22 necessary information for registration. The Secretary must
23 notify the applicant at the time of application that his
24 signature constitutes consent to registration with the
25 Selective Service System, if he is not already registered.

26 (e) Beginning on or before July 1, 2015, for each original

1 or renewal driver's license application under this Code, the
2 Secretary shall inquire as to whether the applicant is a
3 veteran for purposes of issuing a driver's license with a
4 veteran designation under subsection (e-5) of Section 6-110 of
5 this Code. The acceptable forms of proof shall include, but
6 are not limited to, Department of Defense form DD-214,
7 Department of Defense form DD-256 for applicants who did not
8 receive a form DD-214 upon the completion of initial basic
9 training, Department of Defense form DD-2 (Retired), an
10 identification card issued under the federal Veterans
11 Identification Card Act of 2015, or a United States Department
12 of Veterans Affairs summary of benefits letter. If the
13 document cannot be stamped, the Illinois Department of
14 Veterans Affairs shall provide a certificate to the veteran to
15 provide to the Secretary of State. The Illinois Department of
16 Veterans Affairs shall advise the Secretary as to what other
17 forms of proof of a person's status as a veteran are
18 acceptable.

19 For each applicant who is issued a driver's license with a
20 veteran designation, the Secretary shall provide the
21 Department of Veterans Affairs with the applicant's name,
22 address, date of birth, gender and such other demographic
23 information as agreed to by the Secretary and the Department.
24 The Department may take steps necessary to confirm the
25 applicant is a veteran. If after due diligence, including
26 writing to the applicant at the address provided by the

1 Secretary, the Department is unable to verify the applicant's
2 veteran status, the Department shall inform the Secretary, who
3 shall notify the applicant that he or she must confirm status
4 as a veteran, or the driver's license will be canceled.

5 For purposes of this subsection (e):

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

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

12 (f) An applicant who is eligible for Gold Star license
13 plates under Section 3-664 of this Code may apply for an
14 original or renewal driver's license with space for a
15 designation as a Gold Star Family. The Secretary may waive any
16 fee for this application. If the Secretary does not waive the
17 fee, any fee charged to the applicant must be deposited into
18 the Illinois Veterans Assistance Fund. The Secretary is
19 authorized to issue rules to implement this subsection.

20 (Source: P.A. 103-210, eff. 7-1-24; 103-933, eff. 1-1-25;
21 104-234, eff. 8-15-25; 104-443, eff. 1-1-26.)".