International Student Guide to Driving in Illinois

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This presentation is a Guide — NOT Legal Advice

Disclaimer: This presentation is for educational purposes only. This information does not substitute for legal advice and counsel.
Driving in Illinois: Is my license valid?

- To have driving privileges in Illinois, you must have:
  1. **Valid driver’s license.**
     - From home country
     - TVDL (Temporary Illinois Visitor Driver’s License)

*Note: International Driver’s License not valid in Illinois.*

(https://www.cyberdriveillinois.com/services/newresidentshowdoi.html)
Temporary Visitor Driver’s License (TVDL)

- **What is it?** Under Public Act 97-1157, non-visa status individuals who cannot obtain a Social Security card may apply for a TVDL.
- **How long is it valid?** 3 years
- **How much does it cost?** $30
TVDL (continued)

• **How can I obtain one?** Make an appointment to fill out an application by going online at [www.cyberdriveillinois.com](http://www.cyberdriveillinois.com), or calling 855-236-1155.
  
  – Must pass a vision test, written test, and road test.
  
  – Must show proof of insurance before you can take the road test.
  
  – If you obtain a driving permit to practice driving, you must be accompanied by an adult 25 years or older, with a valid Illinois driver’s license.

• TVDL is only valid if driver has *current liability insurance.*
What to carry with you while driving:

1. Driver’s license from home country, or TVDL
2. Proof of Insurance
3. Copy of Passport, and
4. Certified translation of driver’s license (if license is not in English)
**Mandatory Car Insurance**

All persons who own or operate a car in Illinois must carry minimum liability Insurance which includes:

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Amount</th>
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<tr>
<td>$20,000 for injury or death of one person in an accident</td>
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<tr>
<td>$40,000 for injury or death of more than one person in an accident</td>
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<tr>
<td>$15,000 for damage of property to another</td>
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Uninsured Motorist Bodily Injury Coverage (UM) requires you have $25,000 per person and $50,000 per accident.

Although state law does not mandate comprehensive coverage, it is wise to cover damage to your own vehicle.

For more information on required insurance in Illinois visit: [http://insurance2.illinois.gov/AutoInsurance/shopping_auto_ins.asp](http://insurance2.illinois.gov/AutoInsurance/shopping_auto_ins.asp)
Or call Students’ Legal Assistance: 815-753-1701
Insurance Continued

You must have **proof** of insurance

Insurance must cover the car that you own, borrow from a friend, and drive as a rental.

If you receive a ticket for no insurance, but you did have insurance at the time of the ticket, you can bring the insurance card to court to get the ticket dismissed.

If you receive court supervision for a mandatory insurance offense you will be required to file a SR-22 Certificate with the Secretary of State. For more information on SR-22 visit: http://www.cyberdriveillinois.com/publications/pdf_publications/dsd_sr84.pdf

**Liability v. Comprehensive Coverage:**
- Liability coverage includes Bodily Injury and Property Damage coverage, which pay for someone’s medical expenses, personal injuries, and property damage if you’re at-fault.
- Comprehensive covers losses from things other than an accident, like vandalism, riots, floods, hail, fire, animal collisions, and theft.
Insurance Continued

• Shop around for insurance rates! Rates may vary greatly from one company to the next! For more information on rate comparison and buying a vehicle visit:
  http://www.niu.edu/legal/forms/used_car_buyer_guide2.pdf

• Do not want to buy a car? NIU offers discounted rates for ZipCars which includes gas and insurance. Monthly memberships are available. For more information visit:
  http://www.niu.edu/parking/alternative_transportation/zipcar.shtml
Traffic laws in Illinois may differ from laws in other states and countries. You should be aware of the following laws:

**Speeding in a Construction Zone**
- First Conviction:
  - $250 min. plus $150.
- Second Conviction:
  - $750 min. + $250.
- More than 1 violation within 2 years results in automatic 90 day driver’s license suspension, if workers were present.

(625 ILCS 5/11-605.1)

**Passing a Stopped School Bus Receiving or Discharging Pupils**
- You must stop if a bus has the stop sign out, regardless of what direction you are traveling
  - First Conviction:
    - 3 months license suspension; $150 fine
  - Second Conviction:
    - 1 year suspension if second conviction of same/similar offense occurs within 5 years; $500 fine

(625 ILCS 5/11-1414)
Traffic Offenses You Should Know About:

- **Scotts Law**
  - Yield the right of way by pulling over to the right shoulder for an approaching authorized emergency vehicle with active lights and sirens
  - When approaching a stationary authorized emergency vehicle flashing its lights:
    - *Reduce speed*
    - *change lanes away from the emergency vehicle*
    - *proceed with due regard to safety and traffic conditions if unable to change lanes*
  - First Offense failure to change lanes away from emergency vehicle:
    - Fines up to $10,000.00
    - License suspension
    - 90 days to one year if the violation results in damage to property of another person
    - 180 days to 2 years if violation results in injury to another person
    - 2 years if the violation results in death of another
    
(625 ILCS 5/11-907)
Traffic Offenses You Should Know About:

- **Stop at Stop Signs**
- **You must come to a complete stop at all stop signs**
- **Count to three before you proceed**

(625 ILCS 5/11-1204)

**MYTH:** If I go with the flow of traffic, I will not get a ticket!

**FALSE:** The speed limit is the speed limit, regardless of what others are doing. If you are speeding you can be pulled over and receive a ticket.

**MYTH:** I do not need to wear a seat belt in the back seat.

**FALSE:** As of January 1, 2012, every individual in the vehicle must wear a seatbelt.
In Illinois, traffic violations are categorized as either "petty" offenses or "misdemeanor" offenses.

**Misdemeanor** offenses are those that are more serious than others, and can result in a **criminal conviction**.

**Q:** What is a **misdemeanor**?

**A:** A misdemeanor is a **crime**, punishable by **jail time**, large **fines**, **probation**, and/or **suspension of your license**.
Misdemeanor Traffic Offenses:

- Providing a fraudulent driver’s license or permit (Class 4 Felony)
- Driving on a Suspended or Revoked License (Class A)
- Speeding 26mph over the limit (Class B)
- Speeding 35mph over the limit (Class A)
- Reckless Driving (Class A)
- Leaving the Scene of an Accident (Class A)
Driving Under the Influence
Driving with a Blood Alcohol Content (BAC) of .08 or greater, or under the influence of any other substance
Class A Misdemeanor
First Offense:
– Up to a $2,500 fine
– Subject to one year imprisonment
– License Suspension
– Community Service
– Alcohol and Drug Counseling

(625 ILCS 5/11-501)

For more information on DUls visit: https://www.cyberdriveillinois.com/publications/pdf_publications/dsd_a118.pdf
License Suspension:

1. If under 21 years old and you are convicted of 2 or more traffic violations with a 24-month period, your license will be suspended for a minimum 30 days.

2. 21 and older, and you are convicted of 3 or more traffic violations within a 12 month period, your license will be suspended.

3. A conviction for drag racing, illegally passing a stopped school bus, possession or consumption of alcohol, DUI, two speeding in construction zone tickets, and other offenses can also result in suspension.
What to do if you get stopped by Police!

As soon as you notice a police car behind you with flashing lights, pull over to the right shoulder and stop

- Remain calm!
- Do not exit the vehicle unless told to do so.
- Keep hands in sight on steering wheel
- When Officer is close to the vehicle, roll down driver window
- Address the policeman or policewoman as “Officer”
- Never touch the officer, or make any sudden or quick movements
What to do if you get stopped by Police!

License and Registration

- The officer will most likely ask you for your:
  - License
  - Proof of insurance
  - Vehicle registration paper
- Present them to the officer, not having them could result in another ticket
- If you receive a ticket sign it. This is not admitting guilt and you will still have the opportunity to dispute it in court
- You may ask the officer questions, but do not argue
- Do not offer to pay the officer
What to do if you get stopped by Police!

Vehicle Searches

- You do not have to give permission if an officer asks to search your vehicle.
- If you do not want your vehicle searched, tell the officer that you do not consent to searches but do not interfere, resist or stop the officer.
- Never run from the police. If you get arrested do not resist.

For more information, watch the full demonstration found here:
https://www.youtube.com/watch?v=qMjMPIXzdA&feature=youtu.be&list=PL3C4EE00FA69E5F17
What to do if you are stopped by Police!

Questioning by an officer

• You do not have to speak to the police, with the exception of giving them your name. If you tell them you do not want to speak with them, they must stop asking you questions.

• If you decline to speak with the officer but still feel pressured to speak with the officer, tell them that you wish to have an attorney present for any further questioning.

• If the officer has not said you are free to go, ask if you are free to leave.
Reporting Accidents

- Leaving the scene of an accident without reporting it is a crime! Possible penalties include:
  - Up to one year in jail
  - Fine of $2,500
  - Probation up to 24 months
  - License suspension

An accident can occur between:
- One or more cars
- A car and pedestrian
- A car and property

To report an accident call 911 or obtain the local non-emergency phone number.

- Do not leave the scene until the police arrive and tell you it is ok to leave.
If you need legal assistance for any reason call:

Students’ Legal Assistance

815-753-1701