

# Suspended Driver's License Financial

## Scenario

Traffic stop resulting in driver with suspended drivers license for failure to pay fines.

- Driver has suspended driver's license for 625 ILCS 5/6-306.5, which is failure to pay fines
- Driver's abstract shows no other negative entries except that listed above
- Driver has insurance
- Driver is an Illinois resident
- Probable cause for stop was no tail lights
- Two movers to be written:
  - Required Lighting (MCC 9-76-050(c) or 625 ILCS 5/12-201(b))
  - Driving while driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked (625 ILCS 5/6-303)

## The Question

- Do we take bond (TVB, since driver has no DL)?
- Is the vehicle impounded?

## Preliminary Answer

- **Do we take bond (TVB, since driver has no DL)?**
  - No, do not TVB??
  - Since suspension is for 625 ILCS 5/6-306.5 and according to [625 ILCS 5/6-303\(a\)](#), this financial license suspension is a PETTY offense.
    - 625 ILCS 5/6-303(a): *Except as otherwise provided in subsection (a-5) or (a-7) . . .*
    - Referring to (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.*

      - So in order to "reach" the level of misdemeanor, one would have receive at least 3 Uniform Traffic Citations. So one can reasonably deduce that prior to that this can be considered a "minor traffic offense" therefore petty.
  - Since this is a petty offense, by Chicago Police Department Directive, no Illinois resident charged with a petty traffic offense will be required to post bond (Special Order S06-13, III-A). So no bond equals no TVB, by definition a TVB is a "Traffic Violator to post Bond" (Special Order S04-14-05)
- **Is the vehicle impounded?**

- According to Special Order S07-03-05, we would impound the vehicle.

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