***Supervision is not available for all misdemeanor or petty offenses. Defendants may not receive court supervision for the following offenses:***

1. A prior conviction, for driving under the influence of alcohol, [625 ILCS 5/11-501](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f11-501&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), or a similar provision of a local ordinance or any similar law or ordinance of another state; [730 ILCS 5/5-6-1(d)(1)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search))

2. A prior court supervision for driving under the influence of alcohol, [625 ILCS 5/11-501](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f11-501&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), or a similar provision of a local ordinance or any similar law or ordinance of another state; [730 ILCS 5/5-6-1(d)(2)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)); [People v. Brom, 189 Ill.App.3d 910, 137 Ill.Dec. 300, 545 N.E.2d 1061 (1989)](http://www.westlaw.com/Link/Document/FullText?findType=Y&serNum=1989150219&pubNum=0000578&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=RP&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)) (five year limit is calculated from date of sentence, not arrest).

3. A plea of guilty to or stipulation to the facts supporting a charge of reckless driving, [625 ILCS 5/11-503](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f11-503&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), or a similar provision of a local ordinance or any similar law or ordinance of another state, and the plea or stipulation was the result of a plea agreement ; [730 ILCS 5/5-6-1(d)(3)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)); [People v. Eckhardt, 127 Ill.2d 146, 129 Ill.Dec. 82, 535 N.E.2d 847 (1989)](http://www.westlaw.com/Link/Document/FullText?findType=Y&serNum=1989027965&pubNum=0000578&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=RP&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)) (this section does not violate equal protection); [People v. Kuhn, 126 Ill.2d 202, 127 Ill.Dec. 827, 533 N.E.2d 909 (1988)](http://www.westlaw.com/Link/Document/FullText?findType=Y&serNum=1988164573&pubNum=0000578&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=RP&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)) (State must show there was a plea agreement reducing DUI to reckless driving before defendant is ineligible for supervision).

4. Overweight vehicles, [625 ILCS 5/15-111](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f15-111&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), 15-113 and 15-301; [730 ILCS 5/5-6-1(f)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

5. Leaving the scene of an accident, 625 ILCS 1/6-104(b); [730 ILCS 5/5-6-1(f)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

6. Speeding in a school zone, [625 ILCS 5/11-605](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f11-605&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)); [730 ILCS 5/5-6-1(f)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)); [People v. Dorner, 181 Ill.App.3d 25, 129 Ill.Dec. 806, 536 N.E.2d 856 (1989)](http://www.westlaw.com/Link/Document/FullText?findType=Y&serNum=1989041143&pubNum=0000578&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=RP&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

7. Speeding in a construction zone, [625 ILCS 5/11-605(b)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f11-605&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)); [730 ILCS 5/5-6-1(f)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)); [People v. Dorner, 181 Ill.App.3d 25, 129 Ill.Dec. 806, 536 N.E.2d 856 (1989)](http://www.westlaw.com/Link/Document/FullText?findType=Y&serNum=1989041143&pubNum=0000578&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=RP&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

8. Passing a stopped school bus, [625 ILCS 5/11-1414](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f11-1414&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)); [730 ILCS 5/5-6-1(f)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)); [People v. Dorner, 181 Ill.App.3d 25, 129 Ill.Dec. 806, 536 N.E.2d 856 (1989)](http://www.westlaw.com/Link/Document/FullText?findType=Y&serNum=1989041143&pubNum=0000578&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=RP&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search))

9. Driving a motor vehicle without proof of insurance, [625 ILCS 5/3-707](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-707&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), if within the last five years the defendant has been convicted for a violation of [625 ILCS 5/3-707](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-707&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), 3-708, 3-710 or 5-401.3 or a similar provision of a local ordinance or assigned supervision for a violation of [625 ILCS 5/3-707](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-707&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), 3-708, 3-710 or 5-401.3 or a similar provision of a local ordinance. (Note though that under [730 ILCS 5/5-6-1(i)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), court supervision is not available to a defendant charged with violating [625 ILCS 5/3-707](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-707&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)) or similar provision of a local ordinance if he or she has previously been assigned supervision.31 Because this conflicts with [730 ILCS 5/5-6-1(g)(2)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), it would seem that a defendant is entitled to the benefit of the less restrictive provision); [730 ILCS 5/5-6-1(i)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

10. Driving a motor vehicle whose registration has been suspended for non-insurance, [625 ILCS 5/3-708](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-708&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), if within the last five years the defendant has been convicted for a violation of [625 ILCS 5/3-707](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-707&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), 3-708, 3-710 or 5-401.3 or a similar provision of a local ordinance or assigned supervision for a violation of [625 ILCS 5/3-707](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-707&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), 3-708, 3-710 or 5-401.3 or a similar provision of a local ordinance; [730 ILCS 5/5-6-1(g)(1) and (2)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

11. Displaying a false insurance card, [625 ILCS 5/3-710](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-710&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), if within the last five years the defendant has been convicted for a violation of [625 ILCS 5/3-707](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-707&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), 3-708, 3-710 or 5-401.3 or a similar provision of a local ordinance or assigned supervision for a violation of [625 ILCS 5/3-707](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-707&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), 3-708, 3-710 or 5-401.3 or a similar provision of a local ordinance;[730 ILCS 5/5-6-1(g)(1) and (2)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

12. Failure of a scrap processor to keep records, [625 ILCS 5/5-401.3](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f5-401.3&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)) if within the last five years the defendant has been convicted for a violation of [625 ILCS 5/3-707](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-707&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), 3-708, 3-710 or 5-401.3 or a similar provision of a local ordinance or assigned supervision for a violation of [625 ILCS 5/3-707](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f3-707&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), 3-708, 3-710 or 5-401.3 or a similar provision of a local ordinance; [730 ILCS 5/5-6-1(g)(1) and (2)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

13. A serious traffic violation defined by [625 ILCS 5/1-187.001](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f1-187.001&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)) committed by a person under the age of 21 unless the defendant successfully completes a traffic safety program approved by the court and pays all fines and penalties [730 ILCS 5/5-6-1(h)(1)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

14. A serious traffic violation defined by [625 ILCS 5/1-187.001](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f1-187.001&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)) committed by a person under the age of 21 on or after January 1, 1998, where the defendant has been previously sentenced for a serious traffic violation; [730 ILCS 5/5-6-1(h)(2)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

15. Driving while license suspended or revoked, 625 ILCS 1/6-303, or similar provision of a local ordinance, when the suspension is for a violation of 11-501, 11-501.1 or 11-401(b), or similar provisions of a local ordinance, or a violation of [720 ILCS 5/9-3](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=ILSTC720S5%2f9-3&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), if the defendant has in the last 10 years been convicted for a violation of 625 ILCS 1/6-303 or assigned supervision for a violation of 625 ILCS 1/6-303 or a similar provision of a local ordinance. [730 ILCS 5/5-6-1(j)(1) and (2)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

16. Moving violations under the Illinois Vehicle Code or similar provision of a local ordinance if in the last 12 months the defendant has received court supervision on two other moving violations under the Illinois Vehicle Code or similar provision of a local ordinance. [730 ILCS 5/5-6-1(k)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)). However, this paragraph do not apply to a defendant charged with violating Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance.

17. A violation of [625 ILCS 5/11-601](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL625S5%2f11-601&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)), speeding in excess of 25 miles per hour over the posted limit in an urban district.[730 ILCS 5/5-6-1(r)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

18. A violation of the Illinois Vehicle Code if the offense is the proximate cause of another person's death if the defendant's driving abstract shows a prior conviction or supervision for any violation of the Illinois Vehicle Code, unless it is an equipment violation, or a suspension, revocation, or cancellation of a driver's license. [730 ILCS 5/5-6-1(r)](http://www.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000008&cite=IL730S5%2f5-6-1&originatingDoc=I171a5a7e98d511dab103fbecdd46230d&refType=LQ&originationContext=document&vr=3.0&rs=cblt1.0&transitionType=DocumentItem&contextData=(sc.Search)).

Excerpt from Criminal Practice and Procedure