

# OPERATION OF UNINSURED MOTOR VEHICLE 625 ILCS 5/3-707

## Not Eligible to Seal

Two of defendant's three tickets were for petty offenses or Class C misdemeanors and, thus, were never eligible for sealing. As noted, defendant's three tickets were for (1) speeding (625 ILCS 5/11-601 (West 1998)); (2) driving with a suspended license, a Class A misdemeanor (625 ILCS 5/6-303(a) (West 1998)); and (3) operating an uninsured motor vehicle (625 ILCS 5/3-707 (West 1998)). The last one is specifically defined by statute as "a petty offense," and so was never eligible under the Act for sealing—whether or not a bond forfeiture qualified as a conviction under the Act.

People v. McCain, 2025 IL App (1st) 240873, ¶ 26

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## Eligible to Seal

730 ILCS 5/5-6-3.1

(f) Discharge and dismissal upon a successful conclusion of a disposition of supervision shall be deemed without adjudication of guilt and shall not be termed a conviction for purposes of disqualification or disabilities imposed by law upon conviction of a crime. Two years after the discharge and dismissal under this Section, unless the disposition of supervision was for a violation of Sections 3-707 (Operation of an Uninsured Motor Vehicle), 3-708 (Registration Suspended for Noninsurance), 3-710 (Display of False Insurance Card), 5-401.3 (Scrap Processor Records), or 11-503 (Reckless Driving) of the Illinois Vehicle Code or a similar provision of a local ordinance, or for a violation of Sections 12-3.2 (Domestic Battery), 16-25 (Retail Theft), or 16A-3 (Retail Theft) of the Criminal Code of 1961 or the Criminal Code of 2012, in which case it shall be 5 years after discharge and dismissal, a person may have his record of arrest sealed or expunged as may be provided by law. However, any defendant placed on supervision before January 1, 1980, may move for sealing or expungement of his arrest record, as provided by law, at any time after discharge and dismissal under this Section. A person placed on supervision for a sexual offense committed against a minor as defined in clause (a)(1)(L) of Section 5.2 of the Criminal Identification Act or for a violation of Section 11-501 (DUI) of the Illinois Vehicle Code or a similar provision of a local ordinance shall not have his or her record of arrest sealed or expunged.