

1 AN ACT in relation to vehicles.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The School Code is amended by adding Section
5 10-20.21a as follows:

6 (105 ILCS 5/10-20.21a new)

7 Sec. 10-20.21a. Contracts for charter bus services. To
8 award contracts for providing charter bus services for the
9 sole purpose of transporting students regularly enrolled in
10 grade 12 or below to or from interscholastic athletic or
11 interscholastic or school sponsored activities.

12 All contracts for providing charter bus services for the
13 sole purpose of transporting students regularly enrolled in
14 grade 12 or below to or from interscholastic athletic or
15 interscholastic or school sponsored activities must contain
16 clause (A) as set forth below, except that a contract with an
17 out-of-state company may contain clause (B), as set forth
18 below, or clause (A). The clause must be set forth in the
19 body of the contract in typeface of at least 12 points and
20 all upper case letters:

21 (A) "ALL OF THE CHARTER BUS DRIVERS WHO WILL BE
22 PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE
23 BEFORE ANY SERVICES ARE PROVIDED:

24 (1) SUBMITTED THEIR FINGERPRINTS TO THE DEPARTMENT
25 OF STATE POLICE IN THE FORM AND MANNER PRESCRIBED BY THE
26 DEPARTMENT OF STATE POLICE. THESE FINGERPRINTS SHALL BE
27 CHECKED AGAINST THE FINGERPRINT RECORDS NOW AND HEREAFTER
28 FILED IN THE DEPARTMENT OF STATE POLICE AND FEDERAL
29 BUREAU OF INVESTIGATION CRIMINAL HISTORY RECORDS
30 DATABASES. THE FINGERPRINT CHECK HAS RESULTED IN A
31 DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF

1 COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION
 2 (C-1)(4) OF SECTION 6-508 OF THE ILLINOIS VEHICLE CODE;
 3 AND

4 (2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL
 5 BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION,
 6 INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY
 7 AGENCY."

8 (B) "NOT ALL OF THE CHARTER BUS DRIVERS WHO WILL BE
 9 PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE
 10 BEFORE ANY SERVICES ARE PROVIDED:

11 (1) SUBMITTED THEIR FINGERPRINTS TO THE DEPARTMENT
 12 OF STATE POLICE IN THE FORM AND MANNER PRESCRIBED BY THE
 13 DEPARTMENT OF STATE POLICE. THESE FINGERPRINTS SHALL BE
 14 CHECKED AGAINST THE FINGERPRINT RECORDS NOW AND HEREAFTER
 15 FILED IN THE DEPARTMENT OF STATE POLICE AND FEDERAL
 16 BUREAU OF INVESTIGATION CRIMINAL HISTORY RECORDS
 17 DATABASES. THE FINGERPRINT CHECK HAS RESULTED IN A
 18 DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF
 19 COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION
 20 (C-1)(4) OF SECTION 6-508 OF THE ILLINOIS VEHICLE CODE;
 21 AND

22 (2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL
 23 BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION,
 24 INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY
 25 AGENCY."

26 Section 10. The Illinois Vehicle Code is amended by
 27 changing Sections 6-104 and 6-508 as follows:

28 (625 ILCS 5/6-104) (from Ch. 95 1/2, par. 6-104)
 29 Sec. 6-104. Classification of Driver - Special
 30 Restrictions.

31 (a) A driver's license issued under the authority of
 32 this Act shall indicate the classification for which the

1 applicant therefor has qualified by examination or by such
2 other means that the Secretary of State shall prescribe.
3 Driver's license classifications shall be prescribed by rule
4 or regulation promulgated by the Secretary of State and such
5 may specify classifications as to operation of motor vehicles
6 of the first division, or of those of the second division,
7 whether operated singly or in lawful combination, and whether
8 for-hire or not-for-hire, and may specify such other
9 classifications as the Secretary deems necessary.

10 No person shall operate a motor vehicle unless such
11 person has a valid license with a proper classification to
12 permit the operation of such vehicle, except that any person
13 may operate a motorized pedalcycle if such person has a valid
14 current Illinois driver's license, regardless of
15 classification.

16 (b) No person who is under the age of 21 years or has
17 had less than 1 year of driving experience shall drive: (1)
18 in connection with the operation of any school, day camp,
19 summer camp, or nursery school, any public or private motor
20 vehicle for transporting children to or from any school, day
21 camp, summer camp, or nursery school, or (2) any motor
22 vehicle of the second division when in use for the
23 transportation of persons for compensation.

24 (c) No person who is under the age of 18 years shall be
25 issued a license for the purpose of transporting property for
26 hire, or for the purpose of transporting persons for
27 compensation in a motor vehicle of the first division.

28 (d) No person shall drive: (1) a school bus when
29 transporting school children unless such person possesses a
30 valid school bus driver permit or is accompanied and
31 supervised, for the specific purpose of training prior to
32 routine operation of a school bus, by a person who has held a
33 valid school bus driver permit for at least one year; or (2)
34 any other vehicle owned or operated by or for a public or

1 private school, or a school operated by a religious
2 institution, where such vehicle is being used over a
3 regularly scheduled route for the transportation of persons
4 enrolled as a student in grade 12 or below, in connection
5 with any activity of the entities unless such person
6 possesses a valid school bus driver permit.

7 (d-5) No person may drive a bus that does not meet the
8 special requirements for school buses provided in Sections
9 12-801, 12-802, 12-803, and 12-805 of this Code that has been
10 chartered for the sole purpose of transporting students
11 regularly enrolled in grade 12 or below to or from
12 interscholastic athletic or interscholastic or school
13 sponsored activities unless the person has a valid and
14 properly classified commercial driver's license as provided
15 in subsection (c-1) of Section 6-508 of this Code ~~school-bus~~
16 ~~driver-permit~~ in addition to any other permit or license that
17 is required to operate that bus. This subsection (d-5) does
18 not apply to any bus driver employed by a public
19 transportation provider authorized to conduct local or
20 interurban transportation of passengers when the bus is not
21 traveling a specific school bus route but is on a regularly
22 scheduled route for the transporting of other fare paying
23 passengers.

24 A person may operate a chartered bus described in this
25 subsection (d-5) if he or she is not disqualified from
26 driving a chartered bus of that type and if he or she holds a
27 CDL that is:

- 28 (1) issued to him or her by any other state or
29 jurisdiction in accordance with 49 CFR 383;
30 (2) not suspended, revoked, or canceled; and
31 (3) valid under 49 CFR 383, subpart F, for the type
32 of vehicle being driven.

33 A person may also operate a chartered bus described in
34 this subsection (d-5) if he or she holds a valid CDL and a

1 valid school bus driver permit that was issued on or before
2 December 31, 2003.

3 (e) No person shall drive a religious organization bus
4 unless such person has a valid and properly classified
5 drivers license or a valid school bus driver permit.

6 (f) No person shall drive a motor vehicle for the
7 purpose of providing transportation for the elderly in
8 connection with the activities of any public or private
9 organization unless such person has a valid and properly
10 classified driver's license issued by the Secretary of State.

11 (g) No person shall drive a bus which meets the special
12 requirements for school buses provided in Section 12-801,
13 12-802, 12-803 and 12-805 of this Code for the purpose of
14 transporting persons 18 years of age or less in connection
15 with any youth camp licensed under the Youth Camp Act or any
16 child care facility licensed under the Child Care Act of 1969
17 unless such person possesses a valid school bus driver permit
18 or is accompanied and supervised, for the specific purpose of
19 training prior to routine operation of a school bus, by a
20 person who has held a valid school bus driver permit for at
21 least one year; however, a person who has a valid and
22 properly classified driver's license issued by the Secretary
23 of State may operate a school bus for the purpose of
24 transporting persons 18 years of age or less in connection
25 with any such youth camp or child care facility if the
26 "SCHOOL BUS" signs are covered or concealed and the stop
27 signal arm and flashing signal systems are not operable
28 through normal controls.

29 (Source: P.A. 92-849, eff. 1-1-03.)

30 (625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)

31 Sec. 6-508. Commercial Driver's License (CDL) -
32 qualification standards.

33 (a) Testing.

1 (1) General. No person shall be issued an original
2 or renewal CDL unless that person is domiciled in this
3 State. The Secretary shall cause to be administered such
4 tests as the Secretary deems necessary to meet the
5 requirements of 49 C.F.R. Part 383, subparts G and H.

6 (2) Third party testing. The Secretary of state
7 may authorize a "third party tester", pursuant to 49
8 C.F.R. Part 383.75, to administer the skills test or
9 tests specified by Federal Highway Administration
10 pursuant to the Commercial Motor Vehicle Safety Act of
11 1986 and any appropriate federal rule.

12 (b) Waiver of Skills Test. The Secretary of State may
13 waive the skills test specified in this Section for a
14 commercial driver license applicant who meets the
15 requirements of 49 C.F.R. Part 383.77.

16 (c) Limitations on issuance of a CDL. A CDL, or a
17 commercial driver instruction permit, shall not be issued to
18 a person while the person is subject to a disqualification
19 from driving a commercial motor vehicle, or unless otherwise
20 permitted by this Code, while the person's driver's license
21 is suspended, revoked or cancelled in any state, or any
22 territory or province of Canada; nor may a CDL be issued to a
23 person who has a CDL issued by any other state, or foreign
24 jurisdiction, unless the person first surrenders all such
25 licenses. No CDL shall be issued to or renewed for a person
26 who does not meet the requirement of 49 CFR 391.41(b)(11).
27 The requirement may be met with the aid of a hearing aid.

28 (c-1) The Secretary may issue a CDL with a school bus
29 driver endorsement to allow a person to drive the type of bus
30 described in subsection (d-5) of Section 6-104 of this Code.
31 The CDL with a school bus driver endorsement may be issued
32 only to a person meeting the following requirements:

33 (1) the person has submitted his or her
34 fingerprints to the Department of State Police in the

1 form and manner prescribed by the Department of State
 2 Police. These fingerprints shall be checked against the
 3 fingerprint records now and hereafter filed in the
 4 Department of State Police and Federal Bureau of
 5 Investigation criminal history records databases;

6 (2) the person has passed a written test,
 7 administered by the Secretary of State, on charter bus
 8 operation, charter bus safety, and certain special
 9 traffic laws relating to school buses determined by the
 10 Secretary of State to be relevant to charter buses, and
 11 submitted to a review of the applicant's driving habits
 12 by the Secretary of State at the time the written test is
 13 given;

14 (3) the person has demonstrated physical fitness to
 15 operate school buses by submitting the results of a
 16 medical examination, including tests for drug use; and

17 (4) the person has not been convicted of committing
 18 or attempting to commit any one or more of the following
 19 offenses: (i) those offenses defined in Sections 9-1,
 20 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2, 10-3.1,
 21 10-4, 10-5, 10-6, 10-7, 11-6, 11-9, 11-9.1, 11-14, 11-15,
 22 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2,
 23 11-20, 11-20.1, 11-21, 11-22, 12-3.1, 12-4.1, 12-4.2,
 24 12-4.3, 12-4.4, 12-4.5, 12-6, 12-6.2, 12-7.1, 12-7.3,
 25 12-7.4, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16,
 26 12-16.2, 12-21.5, 12-21.6, 12-33, 18-1, 18-2, 18-3, 18-4,
 27 18-5, 20-1, 20-1.1, 20-2, 24-1, 24-1.1, 24-1.2, 24-3.3,
 28 31A-1, 31A-1.1, and 33A-2, and in subsection (a) and
 29 subsection (b), clause (1), of Section 12-4 of the
 30 Criminal Code of 1961; (ii) those offenses defined in the
 31 Cannabis Control Act except those offenses defined in
 32 subsections (a) and (b) of Section 4, and subsection (a)
 33 of Section 5 of the Cannabis Control Act; (iii) those
 34 offenses defined in the Illinois Controlled Substances

1 Act; (iv) any offense committed or attempted in any other
2 state or against the laws of the United States, which if
3 committed or attempted in this State would be punishable
4 as one or more of the foregoing offenses; (v) the
5 offenses defined in Sections 4.1 and 5.1 of the Wrongs to
6 Children Act and (vi) those offenses defined in Section
7 6-16 of the Liquor Control Act of 1934.

8 The Department of State Police shall charge a fee for
9 conducting the criminal history records check, which shall be
10 deposited into the State Police Services Fund and may not
11 exceed the actual cost of the records check.

12 (d) Commercial driver instruction permit. A commercial
13 driver instruction permit may be issued to any person holding
14 a valid Illinois driver's license if such person successfully
15 passes such tests as the Secretary determines to be
16 necessary. A commercial driver instruction permit shall not
17 be issued to a person who does not meet the requirements of
18 49 CFR 391.41 (b)(11), except for the renewal of a commercial
19 driver instruction permit for a person who possesses a
20 commercial instruction permit prior to the effective date of
21 this amendatory Act of 1999.

22 (Source: P.A. 91-350, eff. 7-29-99.)