**Section 1030.82 Charter Bus Driver Endorsement Requirements**

a) Requirements of Driver Applicants for a Charter Bus Driver Endorsement

In order for the Department to issue a charter bus driver endorsement, all driver applicants must:

1) Be 21 years of age or older;

2) Possess a valid and properly classified driver's license issued by the Department;

3) Submit to and successfully pass an Illinois specific criminal background check and Federal Bureau of Investigation criminal background check with current and future information through an approved vendor (A consent form must be signed by the driver applicant/CDL holder that allows the Department to release the fingerprint information to the driver applicant's employer.);

4) Pass a written test on charter bus operation, charter bus safety, and special traffic laws relating to charter buses and submit to a review of the driver applicant's driving habits by the Department at the time the written test is given;

5) Demonstrate the ability to exercise reasonable care in the operation of the charter bus pursuant to the requirements of IVC Section 6-508;

6) A driver applicant must demonstrate physical fitness to safely operate charter buses by undergoing a medical examination in accordance with the provisions of IVC Section 6-508;

7) Affirm under penalty of perjury that he/she has not made a false statement or knowingly concealed a material fact in any application for the endorsement;

8) Not have been convicted of committing or attempting to commit any one or more of the offenses set forth in IVC Section 6-508(c-1)(4).

b) Endorsement Application Process

1) A driver applicant seeking employment as a charter bus driver must obtain from the prospective employer an Application/Certification form for Illinois charter bus driver endorsement and then complete both the form and the fingerprint process.

2) The driver applicant shall then submit the completed Charter Bus Application/Certification form for the charter bus driver endorsement and the appropriate fee to the Driver Services Facility.

3) The Department shall review the driver applicant's driving history to determine if it is acceptable pursuant to IVC Sections 6-104 and 6-508. The driver applicant must:

A) pass a written test administered by the Department in accordance with IVC Section 6-508(c-1)(2).

B) successfully complete a road test, if applicable, administered by the Department or a third-party certifying entity in the class of vehicle to be used in accordance with IVC Section 6-508(a)(1). These tests must be successfully completed within three attempts.

4) On renewal/reapplication for a charter bus driver endorsement, the driver applicant shall be required to submit an Application/Certification form for the Illinois charter bus driver endorsement verifying the completion of all requirements. On renewal/reapplication for the charter bus driver endorsement, the driver applicant will not be subject to the fingerprint process.

c) Denial, Cancellation or Suspension of a CDL with a Charter Bus Driver Endorsement

1) The Department shall deny or cancel a CDL holder's charter bus driver endorsement:

A) If the criminal background investigation discloses the individual is noncompliant with any of the provisions of IVC Section 6-104 or 6-508;

B) Upon receiving notice that the endorsement holder failed to comply with any provision of this Part;

C) Upon receiving notice that the endorsement holder's commercial driving privileges are withdrawn or otherwise invalidated.

2) The Department shall deny a driver applicant for a charter bus driver endorsement upon an indication on a driving record of the failure to pay any fines, costs or fees that deny the renewal or reissuance of a driver's license or any other indication on a driving record that denies the renewal or reissuance of a driver's license.

3) A cancellation of a CDL with a charter bus driver endorsement shall remain in effect pending the outcome of a hearing pursuant to IVC Section 2-118.

4) An order may be rescinded provided the cause is removed and the driver applicant or CDL holder continues to meet the requirements outlined in IVC Sections 6-104 and 6-508.

d) Employer Responsibility

It shall be the responsibility of a prospective or current employer of a driver applicant or CDL holder of a charter bus driver endorsement to:

1) Request an employer seven digit assigned number by faxing to the Department a request on company letterhead indicating a contact person and telephone/fax number.

2) Distribute charter bus driver endorsement applications.

3) Ensure that driver applicants submit to a fingerprint based criminal background investigation.

4) Certify to the Department in writing that a driver applicant has successfully completed all employment conditions.

5) Notify the Department in writing that the employer has certified the removal from service of the CDL holder with the charter bus driver endorsement whose endorsement has been withdrawn by the Department, prior to the start of that CDL holder's next work shift.

6) Notify the Department in writing that the CDL holder with the charter bus driver endorsement is no longer employed as a charter bus driver by the reporting employer.

7) Notify the Department in writing that, while holding a previously issued valid charter bus driver endorsement, the CDL holder has now been accepted as a charter bus driver for the reporting employer.

8) Immediately upon receipt of a positive drug test, notify the Department in writing . This information shall be privileged and maintained for the use of the Department.

9) Maintain records of certifications that must be available for inspection by the Secretary of State.

e) Notice

The Department shall notify the driver applicant or the CDL holder and his/her current employer in writing that he/she:

1) is ineligible based on information provided by an ISP or FBI criminal background investigation; or

2) is no longer eligible for a charter bus driver endorsement; or

3) has related cancellations, suspensions or denials of the applicant's charter bus driver endorsement.

f) Hearings

1) Upon the request of a driver applicant or CDL holder whose charter bus driver endorsement has been denied, canceled or suspended, the Secretary of State shall conduct a hearing pursuant to IVC Section 2-118.

2) The petition requesting a hearing shall be in writing and contain the reason the driver applicant or CDL holder believes he/she is entitled to a charter bus driver endorsement.

3) The scope of the hearing shall be limited to the issuance criteria contained in IVC Sections 6-104 and 6-508.

(Source: Amended at 39 Ill. Reg. 11531, effective July 28, 2015)