



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB0822

Introduced 2/1/2017, by Sen. Napoleon Harris, III

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-205	
625 ILCS 5/6-500	from Ch. 95 1/2, par. 6-500
625 ILCS 5/6-507.5	
625 ILCS 5/6-508.1	
625 ILCS 5/11-1414	from Ch. 95 1/2, par. 11-1414

Amends the Illinois Vehicle Code. Provides that the Secretary of State shall immediately revoke the license, permit, or driving privileges of any driver who commits aggravated overtaking or passing of a school bus. Creates the offense of aggravated overtaking or passing of a school bus. Adds to the definition of "medical examiner's certificate" an electronic submission of results of an examination conducted by a medical examiner listed on the National Registry of Certified Medical Examiners to the Federal Motor Carrier Safety Administration of a driver to medically qualify him or her to drive. Provides that beginning June 22, 2018, the Secretary shall post to a Commercial Driver License Information System driver record within one business day of electronic receipt from the Federal Motor Carrier Safety Administration certain information about a driver who has certified himself or herself as non-excepted interstate. Provides that the Secretary may waive a general knowledge test waiver for an applicant of a commercial learner's permit if the applicant: (1) is a current resident of this State; (2) is a current or former member of the military services; (3) within one year prior to the application, has been regularly employed in a military position that requires the operation of large trucks; (4) has received formal military training in the operation of a vehicle similar to the commercial motor vehicle the applicant expects to operate; and (5) provides the Secretary with a general knowledge test waiver form certifying that the applicant qualifies for the general knowledge test waiver. Makes conforming changes. Effective immediately.

LRB100 08807 AXK 18947 b

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 6-205, 6-500, 6-507.5, 6-508.1, and 11-1414 as
6 follows:

7 (625 ILCS 5/6-205)

8 Sec. 6-205. Mandatory revocation of license or permit;
9 Hardship cases.

10 (a) Except as provided in this Section, the Secretary of
11 State shall immediately revoke the license, permit, or driving
12 privileges of any driver upon receiving a report of the
13 driver's conviction of any of the following offenses:

14 1. Reckless homicide resulting from the operation of a
15 motor vehicle;

16 2. Violation of Section 11-501 of this Code or a
17 similar provision of a local ordinance relating to the
18 offense of operating or being in physical control of a
19 vehicle while under the influence of alcohol, other drug or
20 drugs, intoxicating compound or compounds, or any
21 combination thereof;

22 3. Any felony under the laws of any State or the
23 federal government in the commission of which a motor

1 vehicle was used;

2 4. Violation of Section 11-401 of this Code relating to
3 the offense of leaving the scene of a traffic accident
4 involving death or personal injury;

5 5. Perjury or the making of a false affidavit or
6 statement under oath to the Secretary of State under this
7 Code or under any other law relating to the ownership or
8 operation of motor vehicles;

9 6. Conviction upon 3 charges of violation of Section
10 11-503 of this Code relating to the offense of reckless
11 driving committed within a period of 12 months;

12 7. Conviction of any offense defined in Section 4-102
13 of this Code;

14 8. Violation of Section 11-504 of this Code relating to
15 the offense of drag racing;

16 9. Violation of Chapters 8 and 9 of this Code;

17 10. Violation of Section 12-5 of the Criminal Code of
18 1961 or the Criminal Code of 2012 arising from the use of a
19 motor vehicle;

20 11. Violation of Section 11-204.1 of this Code relating
21 to aggravated fleeing or attempting to elude a peace
22 officer;

23 12. Violation of paragraph (1) of subsection (b) of
24 Section 6-507, or a similar law of any other state,
25 relating to the unlawful operation of a commercial motor
26 vehicle;

1 13. Violation of paragraph (a) of Section 11-502 of
2 this Code or a similar provision of a local ordinance if
3 the driver has been previously convicted of a violation of
4 that Section or a similar provision of a local ordinance
5 and the driver was less than 21 years of age at the time of
6 the offense;

7 14. Violation of paragraph (a) of Section 11-506 of
8 this Code or a similar provision of a local ordinance
9 relating to the offense of street racing;

10 15. A second or subsequent conviction of driving while
11 the person's driver's license, permit or privileges was
12 revoked for reckless homicide or a similar out-of-state
13 offense;

14 16. Any offense against any provision in this Code, or
15 any local ordinance, regulating the movement of traffic
16 when that offense was the proximate cause of the death of
17 any person. Any person whose driving privileges have been
18 revoked pursuant to this paragraph may seek to have the
19 revocation terminated or to have the length of revocation
20 reduced by requesting an administrative hearing with the
21 Secretary of State prior to the projected driver's license
22 application eligibility date;

23 17. Violation of subsection (a-2) of Section 11-1301.3
24 of this Code or a similar provision of a local ordinance;

25 18. A second or subsequent conviction of illegal
26 possession, while operating or in actual physical control,

1 as a driver, of a motor vehicle, of any controlled
2 substance prohibited under the Illinois Controlled
3 Substances Act, any cannabis prohibited under the Cannabis
4 Control Act, or any methamphetamine prohibited under the
5 Methamphetamine Control and Community Protection Act. A
6 defendant found guilty of this offense while operating a
7 motor vehicle shall have an entry made in the court record
8 by the presiding judge that this offense did occur while
9 the defendant was operating a motor vehicle and order the
10 clerk of the court to report the violation to the Secretary
11 of State; -

12 19. Violation of subsection (a-5) of Section 11-1414 of
13 this Code, or a similar provision of a local ordinance,
14 relating to the offense of aggravated overtaking or passing
15 of a school bus.

16 (b) The Secretary of State shall also immediately revoke
17 the license or permit of any driver in the following
18 situations:

19 1. Of any minor upon receiving the notice provided for
20 in Section 5-901 of the Juvenile Court Act of 1987 that the
21 minor has been adjudicated under that Act as having
22 committed an offense relating to motor vehicles prescribed
23 in Section 4-103 of this Code;

24 2. Of any person when any other law of this State
25 requires either the revocation or suspension of a license
26 or permit;

1 3. Of any person adjudicated under the Juvenile Court
2 Act of 1987 based on an offense determined to have been
3 committed in furtherance of the criminal activities of an
4 organized gang as provided in Section 5-710 of that Act,
5 and that involved the operation or use of a motor vehicle
6 or the use of a driver's license or permit. The revocation
7 shall remain in effect for the period determined by the
8 court.

9 (c) (1) Whenever a person is convicted of any of the
10 offenses enumerated in this Section, the court may recommend
11 and the Secretary of State in his discretion, without regard to
12 whether the recommendation is made by the court may, upon
13 application, issue to the person a restricted driving permit
14 granting the privilege of driving a motor vehicle between the
15 petitioner's residence and petitioner's place of employment or
16 within the scope of the petitioner's employment related duties,
17 or to allow the petitioner to transport himself or herself or a
18 family member of the petitioner's household to a medical
19 facility for the receipt of necessary medical care or to allow
20 the petitioner to transport himself or herself to and from
21 alcohol or drug remedial or rehabilitative activity
22 recommended by a licensed service provider, or to allow the
23 petitioner to transport himself or herself or a family member
24 of the petitioner's household to classes, as a student, at an
25 accredited educational institution, or to allow the petitioner
26 to transport children, elderly persons, or persons with

1 disabilities who do not hold driving privileges and are living
2 in the petitioner's household to and from daycare; if the
3 petitioner is able to demonstrate that no alternative means of
4 transportation is reasonably available and that the petitioner
5 will not endanger the public safety or welfare; provided that
6 the Secretary's discretion shall be limited to cases where
7 undue hardship, as defined by the rules of the Secretary of
8 State, would result from a failure to issue the restricted
9 driving permit.

10 (1.5) A person subject to the provisions of paragraph 4
11 of subsection (b) of Section 6-208 of this Code may make
12 application for a restricted driving permit at a hearing
13 conducted under Section 2-118 of this Code after the
14 expiration of 5 years from the effective date of the most
15 recent revocation, or after 5 years from the date of
16 release from a period of imprisonment resulting from a
17 conviction of the most recent offense, whichever is later,
18 provided the person, in addition to all other requirements
19 of the Secretary, shows by clear and convincing evidence:

20 (A) a minimum of 3 years of uninterrupted
21 abstinence from alcohol and the unlawful use or
22 consumption of cannabis under the Cannabis Control
23 Act, a controlled substance under the Illinois
24 Controlled Substances Act, an intoxicating compound
25 under the Use of Intoxicating Compounds Act, or
26 methamphetamine under the Methamphetamine Control and

1 Community Protection Act; and

2 (B) the successful completion of any
3 rehabilitative treatment and involvement in any
4 ongoing rehabilitative activity that may be
5 recommended by a properly licensed service provider
6 according to an assessment of the person's alcohol or
7 drug use under Section 11-501.01 of this Code.

8 In determining whether an applicant is eligible for a
9 restricted driving permit under this paragraph (1.5), the
10 Secretary may consider any relevant evidence, including,
11 but not limited to, testimony, affidavits, records, and the
12 results of regular alcohol or drug tests. Persons subject
13 to the provisions of paragraph 4 of subsection (b) of
14 Section 6-208 of this Code and who have been convicted of
15 more than one violation of paragraph (3), paragraph (4), or
16 paragraph (5) of subsection (a) of Section 11-501 of this
17 Code shall not be eligible to apply for a restricted
18 driving permit.

19 A restricted driving permit issued under this
20 paragraph (1.5) shall provide that the holder may only
21 operate motor vehicles equipped with an ignition interlock
22 device as required under paragraph (2) of subsection (c) of
23 this Section and subparagraph (A) of paragraph 3 of
24 subsection (c) of Section 6-206 of this Code. The Secretary
25 may revoke a restricted driving permit or amend the
26 conditions of a restricted driving permit issued under this

1 paragraph (1.5) if the holder operates a vehicle that is
2 not equipped with an ignition interlock device, or for any
3 other reason authorized under this Code.

4 A restricted driving permit issued under this
5 paragraph (1.5) shall be revoked, and the holder barred
6 from applying for or being issued a restricted driving
7 permit in the future, if the holder is subsequently
8 convicted of a violation of Section 11-501 of this Code, a
9 similar provision of a local ordinance, or a similar
10 offense in another state.

11 (2) If a person's license or permit is revoked or
12 suspended due to 2 or more convictions of violating Section
13 11-501 of this Code or a similar provision of a local
14 ordinance or a similar out-of-state offense, or Section 9-3
15 of the Criminal Code of 1961 or the Criminal Code of 2012,
16 where the use of alcohol or other drugs is recited as an
17 element of the offense, or a similar out-of-state offense,
18 or a combination of these offenses, arising out of separate
19 occurrences, that person, if issued a restricted driving
20 permit, may not operate a vehicle unless it has been
21 equipped with an ignition interlock device as defined in
22 Section 1-129.1.

23 (3) If:

24 (A) a person's license or permit is revoked or
25 suspended 2 or more times due to any combination of:

26 (i) a single conviction of violating Section

1 11-501 of this Code or a similar provision of a
2 local ordinance or a similar out-of-state offense,
3 or Section 9-3 of the Criminal Code of 1961 or the
4 Criminal Code of 2012, where the use of alcohol or
5 other drugs is recited as an element of the
6 offense, or a similar out-of-state offense; or

7 (ii) a statutory summary suspension or
8 revocation under Section 11-501.1; or

9 (iii) a suspension pursuant to Section
10 6-203.1;

11 arising out of separate occurrences; or

12 (B) a person has been convicted of one violation of
13 subparagraph (C) or (F) of paragraph (1) of subsection
14 (d) of Section 11-501 of this Code, Section 9-3 of the
15 Criminal Code of 1961 or the Criminal Code of 2012,
16 relating to the offense of reckless homicide where the
17 use of alcohol or other drugs was recited as an element
18 of the offense, or a similar provision of a law of
19 another state;

20 that person, if issued a restricted driving permit, may not
21 operate a vehicle unless it has been equipped with an
22 ignition interlock device as defined in Section 1-129.1.

23 (4) The person issued a permit conditioned on the use
24 of an ignition interlock device must pay to the Secretary
25 of State DUI Administration Fund an amount not to exceed
26 \$30 per month. The Secretary shall establish by rule the

1 amount and the procedures, terms, and conditions relating
2 to these fees.

3 (5) If the restricted driving permit is issued for
4 employment purposes, then the prohibition against
5 operating a motor vehicle that is not equipped with an
6 ignition interlock device does not apply to the operation
7 of an occupational vehicle owned or leased by that person's
8 employer when used solely for employment purposes. For any
9 person who, within a 5-year period, is convicted of a
10 second or subsequent offense under Section 11-501 of this
11 Code, or a similar provision of a local ordinance or
12 similar out-of-state offense, this employment exemption
13 does not apply until either a one-year period has elapsed
14 during which that person had his or her driving privileges
15 revoked or a one-year period has elapsed during which that
16 person had a restricted driving permit which required the
17 use of an ignition interlock device on every motor vehicle
18 owned or operated by that person.

19 (6) In each case the Secretary of State may issue a
20 restricted driving permit for a period he deems
21 appropriate, except that the permit shall expire within one
22 year from the date of issuance. A restricted driving permit
23 issued under this Section shall be subject to cancellation,
24 revocation, and suspension by the Secretary of State in
25 like manner and for like cause as a driver's license issued
26 under this Code may be cancelled, revoked, or suspended;

1 except that a conviction upon one or more offenses against
2 laws or ordinances regulating the movement of traffic shall
3 be deemed sufficient cause for the revocation, suspension,
4 or cancellation of a restricted driving permit. The
5 Secretary of State may, as a condition to the issuance of a
6 restricted driving permit, require the petitioner to
7 participate in a designated driver remedial or
8 rehabilitative program. The Secretary of State is
9 authorized to cancel a restricted driving permit if the
10 permit holder does not successfully complete the program.
11 However, if an individual's driving privileges have been
12 revoked in accordance with paragraph 13 of subsection (a)
13 of this Section, no restricted driving permit shall be
14 issued until the individual has served 6 months of the
15 revocation period.

16 (c-5) (Blank).

17 (c-6) If a person is convicted of a second violation of
18 operating a motor vehicle while the person's driver's license,
19 permit or privilege was revoked, where the revocation was for a
20 violation of Section 9-3 of the Criminal Code of 1961 or the
21 Criminal Code of 2012 relating to the offense of reckless
22 homicide or a similar out-of-state offense, the person's
23 driving privileges shall be revoked pursuant to subdivision
24 (a) (15) of this Section. The person may not make application
25 for a license or permit until the expiration of five years from
26 the effective date of the revocation or the expiration of five

1 years from the date of release from a term of imprisonment,
2 whichever is later.

3 (c-7) If a person is convicted of a third or subsequent
4 violation of operating a motor vehicle while the person's
5 driver's license, permit or privilege was revoked, where the
6 revocation was for a violation of Section 9-3 of the Criminal
7 Code of 1961 or the Criminal Code of 2012 relating to the
8 offense of reckless homicide or a similar out-of-state offense,
9 the person may never apply for a license or permit.

10 (d) (1) Whenever a person under the age of 21 is convicted
11 under Section 11-501 of this Code or a similar provision of a
12 local ordinance or a similar out-of-state offense, the
13 Secretary of State shall revoke the driving privileges of that
14 person. One year after the date of revocation, and upon
15 application, the Secretary of State may, if satisfied that the
16 person applying will not endanger the public safety or welfare,
17 issue a restricted driving permit granting the privilege of
18 driving a motor vehicle only between the hours of 5 a.m. and 9
19 p.m. or as otherwise provided by this Section for a period of
20 one year. After this one-year period, and upon reapplication
21 for a license as provided in Section 6-106, upon payment of the
22 appropriate reinstatement fee provided under paragraph (b) of
23 Section 6-118, the Secretary of State, in his discretion, may
24 reinstate the petitioner's driver's license and driving
25 privileges, or extend the restricted driving permit as many
26 times as the Secretary of State deems appropriate, by

1 additional periods of not more than 12 months each.

2 (2) If a person's license or permit is revoked or
3 suspended due to 2 or more convictions of violating Section
4 11-501 of this Code or a similar provision of a local
5 ordinance or a similar out-of-state offense, or Section 9-3
6 of the Criminal Code of 1961 or the Criminal Code of 2012,
7 where the use of alcohol or other drugs is recited as an
8 element of the offense, or a similar out-of-state offense,
9 or a combination of these offenses, arising out of separate
10 occurrences, that person, if issued a restricted driving
11 permit, may not operate a vehicle unless it has been
12 equipped with an ignition interlock device as defined in
13 Section 1-129.1.

14 (3) If a person's license or permit is revoked or
15 suspended 2 or more times due to any combination of:

16 (A) a single conviction of violating Section
17 11-501 of this Code or a similar provision of a local
18 ordinance or a similar out-of-state offense, or
19 Section 9-3 of the Criminal Code of 1961 or the
20 Criminal Code of 2012, where the use of alcohol or
21 other drugs is recited as an element of the offense, or
22 a similar out-of-state offense; or

23 (B) a statutory summary suspension or revocation
24 under Section 11-501.1; or

25 (C) a suspension pursuant to Section 6-203.1;
26 arising out of separate occurrences, that person, if issued

1 a restricted driving permit, may not operate a vehicle
2 unless it has been equipped with an ignition interlock
3 device as defined in Section 1-129.1.

4 (3.5) If a person's license or permit is revoked or
5 suspended due to a conviction for a violation of
6 subparagraph (C) or (F) of paragraph (1) of subsection (d)
7 of Section 11-501 of this Code, or a similar provision of a
8 local ordinance or similar out-of-state offense, that
9 person, if issued a restricted driving permit, may not
10 operate a vehicle unless it has been equipped with an
11 ignition interlock device as defined in Section 1-129.1.

12 (4) The person issued a permit conditioned upon the use
13 of an interlock device must pay to the Secretary of State
14 DUI Administration Fund an amount not to exceed \$30 per
15 month. The Secretary shall establish by rule the amount and
16 the procedures, terms, and conditions relating to these
17 fees.

18 (5) If the restricted driving permit is issued for
19 employment purposes, then the prohibition against driving
20 a vehicle that is not equipped with an ignition interlock
21 device does not apply to the operation of an occupational
22 vehicle owned or leased by that person's employer when used
23 solely for employment purposes. For any person who, within
24 a 5-year period, is convicted of a second or subsequent
25 offense under Section 11-501 of this Code, or a similar
26 provision of a local ordinance or similar out-of-state

1 offense, this employment exemption does not apply until
2 either a one-year period has elapsed during which that
3 person had his or her driving privileges revoked or a
4 one-year period has elapsed during which that person had a
5 restricted driving permit which required the use of an
6 ignition interlock device on every motor vehicle owned or
7 operated by that person.

8 (6) A restricted driving permit issued under this
9 Section shall be subject to cancellation, revocation, and
10 suspension by the Secretary of State in like manner and for
11 like cause as a driver's license issued under this Code may
12 be cancelled, revoked, or suspended; except that a
13 conviction upon one or more offenses against laws or
14 ordinances regulating the movement of traffic shall be
15 deemed sufficient cause for the revocation, suspension, or
16 cancellation of a restricted driving permit.

17 (d-5) The revocation of the license, permit, or driving
18 privileges of a person convicted of a third or subsequent
19 violation of Section 6-303 of this Code committed while his or
20 her driver's license, permit, or privilege was revoked because
21 of a violation of Section 9-3 of the Criminal Code of 1961 or
22 the Criminal Code of 2012, relating to the offense of reckless
23 homicide, or a similar provision of a law of another state, is
24 permanent. The Secretary may not, at any time, issue a license
25 or permit to that person.

26 (e) This Section is subject to the provisions of the Driver

1 License Compact.

2 (f) Any revocation imposed upon any person under
3 subsections 2 and 3 of paragraph (b) that is in effect on
4 December 31, 1988 shall be converted to a suspension for a like
5 period of time.

6 (g) The Secretary of State shall not issue a restricted
7 driving permit to a person under the age of 16 years whose
8 driving privileges have been revoked under any provisions of
9 this Code.

10 (h) The Secretary of State shall require the use of
11 ignition interlock devices for a period not less than 5 years
12 on all vehicles owned by a person who has been convicted of a
13 second or subsequent offense under Section 11-501 of this Code
14 or a similar provision of a local ordinance. The person must
15 pay to the Secretary of State DUI Administration Fund an amount
16 not to exceed \$30 for each month that he or she uses the
17 device. The Secretary shall establish by rule and regulation
18 the procedures for certification and use of the interlock
19 system, the amount of the fee, and the procedures, terms, and
20 conditions relating to these fees. During the time period in
21 which a person is required to install an ignition interlock
22 device under this subsection (h), that person shall only
23 operate vehicles in which ignition interlock devices have been
24 installed, except as allowed by subdivision (c) (5) or (d) (5) of
25 this Section.

26 (i) (Blank).

1 (j) In accordance with 49 C.F.R. 384, the Secretary of
2 State may not issue a restricted driving permit for the
3 operation of a commercial motor vehicle to a person holding a
4 CDL whose driving privileges have been revoked, suspended,
5 cancelled, or disqualified under any provisions of this Code.

6 (k) The Secretary of State shall notify by mail any person
7 whose driving privileges have been revoked under paragraph 16
8 of subsection (a) of this Section that his or her driving
9 privileges and driver's license will be revoked 90 days from
10 the date of the mailing of the notice.

11 (Source: P.A. 99-143, eff. 7-27-15; 99-289, eff. 8-6-15;
12 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-297, eff. 1-1-16;
13 99-467, eff. 1-1-16; 99-483, eff. 1-1-16; 99-642, eff.
14 7-28-16.)

15 (625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

16 Sec. 6-500. Definitions of words and phrases.
17 Notwithstanding the definitions set forth elsewhere in this
18 Code, for purposes of the Uniform Commercial Driver's License
19 Act (UCDLA), the words and phrases listed below have the
20 meanings ascribed to them as follows:

21 (1) Alcohol. "Alcohol" means any substance containing any
22 form of alcohol, including but not limited to ethanol,
23 methanol, propanol, and isopropanol.

24 (2) Alcohol concentration. "Alcohol concentration" means:

25 (A) the number of grams of alcohol per 210 liters of

1 breath; or

2 (B) the number of grams of alcohol per 100 milliliters
3 of blood; or

4 (C) the number of grams of alcohol per 67 milliliters
5 of urine.

6 Alcohol tests administered within 2 hours of the driver
7 being "stopped or detained" shall be considered that driver's
8 "alcohol concentration" for the purposes of enforcing this
9 UCCLA.

10 (3) (Blank).

11 (4) (Blank).

12 (5) (Blank).

13 (5.3) CDLIS driver record. "CDLIS driver record" means the
14 electronic record of the individual CDL driver's status and
15 history stored by the State-of-Record as part of the Commercial
16 Driver's License Information System, or CDLIS, established
17 under 49 U.S.C. 31309.

18 (5.5) CDLIS motor vehicle record. "CDLIS motor vehicle
19 record" or "CDLIS MVR" means a report generated from the CDLIS
20 driver record meeting the requirements for access to CDLIS
21 information and provided by states to users authorized in 49
22 C.F.R. 384.225(e) (3) and (4), subject to the provisions of the
23 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

24 (5.7) Commercial driver's license downgrade. "Commercial
25 driver's license downgrade" or "CDL downgrade" means either:

26 (A) a state allows the driver to change his or her

1 self-certification to interstate, but operating
2 exclusively in transportation or operation excepted from
3 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f),
4 391.2, 391.68, or 398.3;

5 (B) a state allows the driver to change his or her
6 self-certification to intrastate only, if the driver
7 qualifies under that state's physical qualification
8 requirements for intrastate only;

9 (C) a state allows the driver to change his or her
10 certification to intrastate, but operating exclusively in
11 transportation or operations excepted from all or part of
12 the state driver qualification requirements; or

13 (D) a state removes the CDL privilege from the driver
14 license.

15 (6) Commercial Motor Vehicle.

16 (A) "Commercial motor vehicle" or "CMV" means a motor
17 vehicle or combination of motor vehicles used in commerce,
18 except those referred to in subdivision (B), designed to
19 transport passengers or property if the motor vehicle:

20 (i) has a gross combination weight rating or gross
21 combination weight of 11,794 kilograms or more (26,001
22 pounds or more), whichever is greater, inclusive of any
23 towed unit with a gross vehicle weight rating or gross
24 vehicle weight of more than 4,536 kilograms (10,000
25 pounds), whichever is greater; or

26 (i-5) has a gross vehicle weight rating or gross

1 vehicle weight of 11,794 or more kilograms (26,001
2 pounds or more), whichever is greater; or

3 (ii) is designed to transport 16 or more persons,
4 including the driver; or

5 (iii) is of any size and is used in transporting
6 hazardous materials as defined in 49 C.F.R. 383.5.

7 (B) Pursuant to the interpretation of the Commercial
8 Motor Vehicle Safety Act of 1986 by the Federal Highway
9 Administration, the definition of "commercial motor
10 vehicle" does not include:

11 (i) recreational vehicles, when operated primarily
12 for personal use;

13 (ii) vehicles owned by or operated under the
14 direction of the United States Department of Defense or
15 the United States Coast Guard only when operated by
16 non-civilian personnel. This includes any operator on
17 active military duty; members of the Reserves;
18 National Guard; personnel on part-time training; and
19 National Guard military technicians (civilians who are
20 required to wear military uniforms and are subject to
21 the Code of Military Justice); or

22 (iii) firefighting, police, and other emergency
23 equipment (including, without limitation, equipment
24 owned or operated by a HazMat or technical rescue team
25 authorized by a county board under Section 5-1127 of
26 the Counties Code), with audible and visual signals,

1 owned or operated by or for a governmental entity,
2 which is necessary to the preservation of life or
3 property or the execution of emergency governmental
4 functions which are normally not subject to general
5 traffic rules and regulations.

6 (7) Controlled Substance. "Controlled substance" shall
7 have the same meaning as defined in Section 102 of the Illinois
8 Controlled Substances Act, and shall also include cannabis as
9 defined in Section 3 of the Cannabis Control Act and
10 methamphetamine as defined in Section 10 of the Methamphetamine
11 Control and Community Protection Act.

12 (8) Conviction. "Conviction" means an unvacated
13 adjudication of guilt or a determination that a person has
14 violated or failed to comply with the law in a court of
15 original jurisdiction or by an authorized administrative
16 tribunal; an unvacated forfeiture of bail or collateral
17 deposited to secure the person's appearance in court; a plea of
18 guilty or nolo contendere accepted by the court; the payment of
19 a fine or court cost regardless of whether the imposition of
20 sentence is deferred and ultimately a judgment dismissing the
21 underlying charge is entered; or a violation of a condition of
22 release without bail, regardless of whether or not the penalty
23 is rebated, suspended or probated.

24 (8.5) Day. "Day" means calendar day.

25 (9) (Blank).

26 (10) (Blank).

1 (11) (Blank).

2 (12) (Blank).

3 (13) Driver. "Driver" means any person who drives,
4 operates, or is in physical control of a commercial motor
5 vehicle, any person who is required to hold a CDL, or any
6 person who is a holder of a CDL while operating a
7 non-commercial motor vehicle.

8 (13.5) Driver applicant. "Driver applicant" means an
9 individual who applies to a state or other jurisdiction to
10 obtain, transfer, upgrade, or renew a CDL or to obtain or renew
11 a CLP.

12 (13.8) Electronic device. "Electronic device" includes,
13 but is not limited to, a cellular telephone, personal digital
14 assistant, pager, computer, or any other device used to input,
15 write, send, receive, or read text.

16 (14) Employee. "Employee" means a person who is employed as
17 a commercial motor vehicle driver. A person who is
18 self-employed as a commercial motor vehicle driver must comply
19 with the requirements of this UCCLA pertaining to employees. An
20 owner-operator on a long-term lease shall be considered an
21 employee.

22 (15) Employer. "Employer" means a person (including the
23 United States, a State or a local authority) who owns or leases
24 a commercial motor vehicle or assigns employees to operate such
25 a vehicle. A person who is self-employed as a commercial motor
26 vehicle driver must comply with the requirements of this UCCLA.

1 (15.1) Endorsement. "Endorsement" means an authorization
2 to an individual's CLP or CDL required to permit the individual
3 to operate certain types of commercial motor vehicles.

4 (15.3) Excepted interstate. "Excepted interstate" means a
5 person who operates or expects to operate in interstate
6 commerce, but engages exclusively in transportation or
7 operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or
8 398.3 from all or part of the qualification requirements of 49
9 C.F.R. Part 391 and is not required to obtain a medical
10 examiner's certificate by 49 C.F.R. 391.45.

11 (15.5) Excepted intrastate. "Excepted intrastate" means a
12 person who operates in intrastate commerce but engages
13 exclusively in transportation or operations excepted from all
14 or parts of the state driver qualification requirements.

15 (16) (Blank).

16 (16.5) Fatality. "Fatality" means the death of a person as
17 a result of a motor vehicle accident.

18 (16.7) Foreign commercial driver. "Foreign commercial
19 driver" means a person licensed to operate a commercial motor
20 vehicle by an authority outside the United States, or a citizen
21 of a foreign country who operates a commercial motor vehicle in
22 the United States.

23 (17) Foreign jurisdiction. "Foreign jurisdiction" means a
24 sovereign jurisdiction that does not fall within the definition
25 of "State".

26 (18) (Blank).

1 (19) (Blank).

2 (20) Hazardous materials. "Hazardous Material" means any
3 material that has been designated under 49 U.S.C. 5103 and is
4 required to be placarded under subpart F of 49 C.F.R. part 172
5 or any quantity of a material listed as a select agent or toxin
6 in 42 C.F.R. part 73.

7 (20.5) Imminent Hazard. "Imminent hazard" means the
8 existence of any condition of a vehicle, employee, or
9 commercial motor vehicle operations that substantially
10 increases the likelihood of serious injury or death if not
11 discontinued immediately; or a condition relating to hazardous
12 material that presents a substantial likelihood that death,
13 serious illness, severe personal injury, or a substantial
14 endangerment to health, property, or the environment may occur
15 before the reasonably foreseeable completion date of a formal
16 proceeding begun to lessen the risk of that death, illness,
17 injury or endangerment.

18 (20.6) Issuance. "Issuance" means initial issuance,
19 transfer, renewal, or upgrade of a CLP or CDL and non-domiciled
20 CLP or CDL.

21 (20.7) Issue. "Issue" means initial issuance, transfer,
22 renewal, or upgrade of a CLP or CDL and non-domiciled CLP or
23 non-domiciled CDL.

24 (21) Long-term lease. "Long-term lease" means a lease of a
25 commercial motor vehicle by the owner-lessor to a lessee, for a
26 period of more than 29 days.

1 (21.01) Manual transmission. "Manual transmission" means a
2 transmission utilizing a driver-operated clutch that is
3 activated by a pedal or lever and a gear-shift mechanism
4 operated either by hand or foot including those known as a
5 stick shift, stick, straight drive, or standard transmission.
6 All other transmissions, whether semi-automatic or automatic,
7 shall be considered automatic for the purposes of the
8 standardized restriction code.

9 (21.1) Medical examiner. "Medical examiner" means an
10 individual certified by the Federal Motor Carrier Safety
11 Administration and listed on the National Registry of Certified
12 Medical Examiners in accordance with Federal Motor Carrier
13 Safety Regulations, 49 CFR 390.101 et seq.

14 (21.2) Medical examiner's certificate. "Medical examiner's
15 certificate" means either (1) prior to June 22, 2018, a
16 document prescribed or approved by the Secretary of State that
17 is issued by a medical examiner to a driver to medically
18 qualify him or her to drive; or (2) beginning June 22, 2018, an
19 electronic submission of results of an examination conducted by
20 a medical examiner listed on the National Registry of Certified
21 Medical Examiners to the Federal Motor Carrier Safety
22 Administration of a driver to medically qualify him or her to
23 drive.

24 (21.5) Medical variance. "Medical variance" means a driver
25 has received one of the following from the Federal Motor
26 Carrier Safety Administration which allows the driver to be

1 issued a medical certificate: (1) an exemption letter
2 permitting operation of a commercial motor vehicle pursuant to
3 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a
4 skill performance evaluation (SPE) certificate permitting
5 operation of a commercial motor vehicle pursuant to 49 C.F.R.
6 391.49.

7 (21.7) Mobile telephone. "Mobile telephone" means a mobile
8 communication device that falls under or uses any commercial
9 mobile radio service, as defined in regulations of the Federal
10 Communications Commission, 47 CFR 20.3. It does not include
11 two-way or citizens band radio services.

12 (22) Motor Vehicle. "Motor vehicle" means every vehicle
13 which is self-propelled, and every vehicle which is propelled
14 by electric power obtained from over head trolley wires but not
15 operated upon rails, except vehicles moved solely by human
16 power and motorized wheel chairs.

17 (22.2) Motor vehicle record. "Motor vehicle record" means a
18 report of the driving status and history of a driver generated
19 from the driver record provided to users, such as drivers or
20 employers, and is subject to the provisions of the Driver
21 Privacy Protection Act, 18 U.S.C. 2721-2725.

22 (22.5) Non-CMV. "Non-CMV" means a motor vehicle or
23 combination of motor vehicles not defined by the term
24 "commercial motor vehicle" or "CMV" in this Section.

25 (22.7) Non-excepted interstate. "Non-excepted interstate"
26 means a person who operates or expects to operate in interstate

1 commerce, is subject to and meets the qualification
2 requirements under 49 C.F.R. Part 391, and is required to
3 obtain a medical examiner's certificate by 49 C.F.R. 391.45.

4 (22.8) Non-excepted intrastate. "Non-excepted intrastate"
5 means a person who operates only in intrastate commerce and is
6 subject to State driver qualification requirements.

7 (23) Non-domiciled CLP or Non-domiciled CDL.
8 "Non-domiciled CLP" or "Non-domiciled CDL" means a CLP or CDL,
9 respectively, issued by a state or other jurisdiction under
10 either of the following two conditions:

11 (i) to an individual domiciled in a foreign country
12 meeting the requirements of Part 383.23(b)(1) of 49 C.F.R.
13 of the Federal Motor Carrier Safety Administration.

14 (ii) to an individual domiciled in another state
15 meeting the requirements of Part 383.23(b)(2) of 49 C.F.R.
16 of the Federal Motor Carrier Safety Administration.

17 (24) (Blank).

18 (25) (Blank).

19 (25.5) Railroad-Highway Grade Crossing Violation.
20 "Railroad-highway grade crossing violation" means a violation,
21 while operating a commercial motor vehicle, of any of the
22 following:

23 (A) Section 11-1201, 11-1202, or 11-1425 of this Code.

24 (B) Any other similar law or local ordinance of any
25 state relating to railroad-highway grade crossing.

26 (25.7) School Bus. "School bus" means a commercial motor

1 vehicle used to transport pre-primary, primary, or secondary
2 school students from home to school, from school to home, or to
3 and from school-sponsored events. "School bus" does not include
4 a bus used as a common carrier.

5 (26) Serious Traffic Violation. "Serious traffic
6 violation" means:

7 (A) a conviction when operating a commercial motor
8 vehicle, or when operating a non-CMV while holding a CLP or
9 CDL, of:

10 (i) a violation relating to excessive speeding,
11 involving a single speeding charge of 15 miles per hour
12 or more above the legal speed limit; or

13 (ii) a violation relating to reckless driving; or

14 (iii) a violation of any State law or local
15 ordinance relating to motor vehicle traffic control
16 (other than parking violations) arising in connection
17 with a fatal traffic accident; or

18 (iv) a violation of Section 6-501, relating to
19 having multiple driver's licenses; or

20 (v) a violation of paragraph (a) of Section 6-507,
21 relating to the requirement to have a valid CLP or CDL;
22 or

23 (vi) a violation relating to improper or erratic
24 traffic lane changes; or

25 (vii) a violation relating to following another
26 vehicle too closely; or

1 (viii) a violation relating to texting while
2 driving; or

3 (ix) a violation relating to the use of a hand-held
4 mobile telephone while driving; or

5 (B) any other similar violation of a law or local
6 ordinance of any state relating to motor vehicle traffic
7 control, other than a parking violation, which the
8 Secretary of State determines by administrative rule to be
9 serious.

10 (27) State. "State" means a state of the United States, the
11 District of Columbia and any province or territory of Canada.

12 (28) (Blank).

13 (29) (Blank).

14 (30) (Blank).

15 (31) (Blank).

16 (32) Texting. "Texting" means manually entering
17 alphanumeric text into, or reading text from, an electronic
18 device.

19 (1) Texting includes, but is not limited to, short
20 message service, emailing, instant messaging, a command or
21 request to access a World Wide Web page, pressing more than
22 a single button to initiate or terminate a voice
23 communication using a mobile telephone, or engaging in any
24 other form of electronic text retrieval or entry for
25 present or future communication.

26 (2) Texting does not include:

1 (i) inputting, selecting, or reading information
2 on a global positioning system or navigation system; or

3 (ii) pressing a single button to initiate or
4 terminate a voice communication using a mobile
5 telephone; or

6 (iii) using a device capable of performing
7 multiple functions (for example, a fleet management
8 system, dispatching device, smart phone, citizens band
9 radio, or music player) for a purpose that is not
10 otherwise prohibited by Part 392 of the Federal Motor
11 Carrier Safety Regulations.

12 (32.3) Third party skills test examiner. "Third party
13 skills test examiner" means a person employed by a third party
14 tester who is authorized by the State to administer the CDL
15 skills tests specified in 49 C.F.R. Part 383, subparts G and H.

16 (32.5) Third party tester. "Third party tester" means a
17 person (including, but not limited to, another state, a motor
18 carrier, a private driver training facility or other private
19 institution, or a department, agency, or instrumentality of a
20 local government) authorized by the State to employ skills test
21 examiners to administer the CDL skills tests specified in 49
22 C.F.R. Part 383, subparts G and H.

23 (32.7) United States. "United States" means the 50 states
24 and the District of Columbia.

25 (33) Use a hand-held mobile telephone. "Use a hand-held
26 mobile telephone" means:

1 (1) using at least one hand to hold a mobile telephone
2 to conduct a voice communication;

3 (2) dialing or answering a mobile telephone by pressing
4 more than a single button; or

5 (3) reaching for a mobile telephone in a manner that
6 requires a driver to maneuver so that he or she is no
7 longer in a seated driving position, restrained by a seat
8 belt that is installed in accordance with 49 CFR 393.93 and
9 adjusted in accordance with the vehicle manufacturer's
10 instructions.

11 (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section
12 10 of P.A. 99-414 for the effective date of changes made by
13 P.A. 98-176); 98-463, eff. 8-16-13; 98-722, eff. 7-16-14;
14 99-57, eff. 7-16-15.)

15 (625 ILCS 5/6-507.5)

16 Sec. 6-507.5. Application for Commercial Learner's Permit
17 (CLP).

18 (a) The application for a CLP must include, but is not
19 limited to, the following:

20 (1) the driver applicant's full legal name and current
21 Illinois domiciliary address, unless the driver applicant
22 is from a foreign country and is applying for a
23 non-domiciled CLP in which case the driver applicant shall
24 submit proof of Illinois residency or the driver applicant
25 is from another state and is applying for a non-domiciled

1 CLP in which case the driver applicant shall submit proof
2 of domicile in the state which issued the driver
3 applicant's Non-CDL;

4 (2) a physical description of the driver applicant
5 including gender, height, weight, color of eyes, and hair
6 color;

7 (3) date of birth;

8 (4) the driver applicant's social security number;

9 (5) the driver applicant's signature;

10 (6) the names of all states where the driver applicant
11 has previously been licensed to drive any type of motor
12 vehicle during the previous 10 years under 49 C.F.R. Part
13 383;

14 (7) proof of citizenship or lawful permanent residency
15 as set forth in Table 1 of 49 C.F.R. 383.71, unless the
16 driver applicant is from a foreign country and is applying
17 for a non-domiciled CLP, in which case the applicant must
18 provide an unexpired employment authorization document
19 (EAD) issued by USCIS or an unexpired foreign passport
20 accompanied by an approved I-94 form documenting the
21 applicant's most recent admittance into the United States;
22 and

23 (8) any other information required by the Secretary of
24 State.

25 (b) Except as provided in subsection (b-5), no ~~no~~ CLP shall
26 be issued to a driver applicant unless the applicant has taken

1 and passed a general knowledge test that meets the federal
2 standards contained in 49 C.F.R. Part 383, subparts F, G, and H
3 for the commercial motor vehicle the applicant expects to
4 operate.

5 (b-5) The Secretary of State may waive the general
6 knowledge test specified in 49 C.F.R 383.71(a)(2)(ii) for a
7 qualifying driver applicant of a commercial learner's permit. A
8 qualifying driver applicant shall:

9 (1) be a current resident of this State;

10 (2) be a current or former member of the military
11 services, including a member of any reserve component or
12 National Guard unit;

13 (3) within one year prior to the application, have been
14 regularly employed in a military position that requires the
15 operation of large trucks;

16 (4) have received formal military training in the
17 operation of a vehicle similar to the commercial motor
18 vehicle the applicant expects to operate; and

19 (5) provide the Secretary of State with a general
20 knowledge test waiver form signed by the applicant and his
21 or her commanding officer certifying that the applicant
22 qualifies for the general knowledge test waiver.

23 (c) No CLP shall be issued to a driver applicant unless the
24 applicant possesses a valid Illinois driver's license or if the
25 applicant is applying for a non-domiciled CLP under subsection
26 (b) of Section 6-509 of this Code, in which case the driver

1 applicant must possess a valid driver's license from his or her
2 state of domicile.

3 (d) No CLP shall be issued to a person under 18 years of
4 age.

5 (e) No person shall be issued a CLP unless the person
6 certifies to the Secretary one of the following types of
7 driving operations in which he or she will be engaged:

8 (1) non-excepted interstate;

9 (2) non-excepted intrastate;

10 (3) excepted interstate; or

11 (4) excepted intrastate.

12 (f) No person shall be issued a CLP unless the person
13 certifies to the Secretary that he or she is not subject to any
14 disqualification under 49 C.F.R. 383.51, or any license
15 disqualification under State law, and that he or she does not
16 have a driver's license from more than one state or
17 jurisdiction.

18 (g) No CLP shall be issued to a person while the person is
19 subject to a disqualification from driving a commercial motor
20 vehicle, unless otherwise permitted by this Code, while the
21 person's driver's license is suspended, revoked, or cancelled
22 in any state, or any territory or province of Canada; nor may a
23 CLP be issued to a person who has a CLP or CDL issued by any
24 other state or foreign jurisdiction, unless the person
25 surrenders all of these licenses. No CLP shall be issued to or
26 renewed for a person who does not meet the requirement of 49

1 C.F.R. 391.41(b)(11). The requirement may be met with the aid
2 of a hearing aid.

3 (h) No CLP with a Passenger, School Bus or Tank Vehicle
4 endorsement shall be issued to a person unless the driver
5 applicant has taken and passed the knowledge test for each
6 endorsement.

7 (1) A CLP holder with a Passenger (P) endorsement is
8 prohibited from operating a CMV carrying passengers, other
9 than federal or State auditors and inspectors, test
10 examiners, or other trainees, and the CDL holder
11 accompanying the CLP holder as prescribed by subsection (a)
12 of Section 6-507 of this Code. The P endorsement must be
13 class specific.

14 (2) A CLP holder with a School Bus (S) endorsement is
15 prohibited from operating a school bus with passengers
16 other than federal or State auditors and inspectors, test
17 examiners, or other trainees, and the CDL holder
18 accompanying the CLP holder as prescribed by subsection (a)
19 of Section 6-507 of this Code.

20 (3) A CLP holder with a Tank Vehicle (N) endorsement
21 may only operate an empty tank vehicle and is prohibited
22 from operating any tank vehicle that previously contained
23 hazardous material that has not been purged of all residue.

24 (4) All other federal endorsements are prohibited on a
25 CLP.

26 (i) No CLP holder may operate a commercial motor vehicle

1 transporting hazardous material as defined in paragraph (20) of
2 Section 6-500 of this Code.

3 (j) The CLP holder must be accompanied by the holder of a
4 valid CDL who has the proper CDL group and endorsement
5 necessary to operate the CMV. The CDL holder must at all times
6 be physically present in the front seat of the vehicle next to
7 the CLP holder or, in the case of a passenger vehicle, directly
8 behind or in the first row behind the driver and must have the
9 CLP holder under observation and direct supervision.

10 (k) A CLP is valid for 180 days from the date of issuance.
11 A CLP may be renewed for an additional 180 days without
12 requiring the CLP holder to retake the general and endorsement
13 knowledge tests.

14 (l) A CLP issued prior to July 1, 2014 for a limited time
15 period according to state requirements, shall be considered a
16 valid commercial driver's license for purposes of
17 behind-the-wheel training on public roads or highways.

18 (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section
19 10 of P.A. 99-414 for the effective date of changes made by
20 P.A. 98-176).)

21 (625 ILCS 5/6-508.1)

22 Sec. 6-508.1. Medical examiner's certificate.

23 (a) It shall be unlawful for any person to drive a CMV in
24 non-expected interstate commerce unless the person holds a CLP
25 or CDL and is medically certified as physically qualified to do

1 so.

2 (b) No person who has certified to non-excepted interstate
3 driving as provided in Sections 6-507.5 and 6-508 of this Code
4 shall be issued a CLP ~~commercial learner's permit~~ or CDL unless
5 that person ~~presents to the Secretary a medical examiner's~~
6 ~~certificate or~~ has a current medical examiner's certificate on
7 the CDLIS driver record.

8 (c) (Blank). ~~Persons who hold a commercial driver~~
9 ~~instruction permit or CDL on January 30, 2012 who have~~
10 ~~certified as non excepted interstate as provided in Section~~
11 ~~6-508 of this Code must provide to the Secretary a medical~~
12 ~~examiner's certificate no later than January 30, 2014.~~

13 (d) On and after January 30, 2014, all persons who hold a
14 commercial driver instruction permit or CDL who have certified
15 as non-excepted interstate shall maintain a current medical
16 examiner's certificate on file with the Secretary. On and after
17 July 1, 2014, all persons issued a CLP who have certified as
18 non-excepted interstate shall maintain a current medical
19 examiner's certificate on file with the Secretary.

20 (e) Before June 22, 2018, ~~Within 10 calendar days of~~
21 ~~receipt of a medical examiner's certificate of a driver who has~~
22 ~~certified as non excepted interstate,~~ the Secretary shall post
23 the following to the CDLIS driver record within 10 calendar
24 days of receipt of a medical examiner's certificate of a driver
25 who has certified as non-excepted interstate:

26 (1) the medical examiner's name;

- 1 (2) the medical examiner's telephone number;
- 2 (3) the date of issuance of the medical examiner's
3 certificate;
- 4 (4) the medical examiner's license number and the state
5 that issued it;
- 6 (5) the medical certification status;
- 7 (6) the expiration date of the medical examiner's
8 certificate;
- 9 (7) the existence of any medical variance on the
10 medical examiner's certificate, including, but not limited
11 to, an exemption, Skills Performance Evaluation
12 certification, issuance and expiration date of the medical
13 variance, or any grandfather provisions;
- 14 (8) any restrictions noted on the medical examiner's
15 certificate; ~~and~~
- 16 (9) the date the medical examiner's certificate
17 information was posted to the CDLIS driver record; and ~~and~~
- 18 (10) the medical examiner's National Registry of
19 Certified Medical Examiners identification number.

20 (e-5) Beginning June 22, 2018, the Secretary shall post the
21 following to the CDLIS driver record within one business day of
22 electronic receipt from the Federal Motor Carrier Safety
23 Administration of a driver's identification, examination
24 results, restriction information, and medical variance
25 information resulting from an examination performed by a
26 medical examiner on the National Registry of Certified Medical

1 Examiners for any driver who has certified as non-excepted
2 interstate:

3 (1) the medical examiner's name;

4 (2) the medical examiner's telephone number;

5 (3) the date of issuance of the medical examiner's
6 certificate;

7 (4) the medical examiner's license number and the state
8 that issued it;

9 (5) the medical certification status;

10 (6) the expiration date of the medical examiner's
11 certificate;

12 (7) the existence of any medical variance on the
13 medical examiner's certificate, including, but not limited
14 to, an exemption, Skills Performance Evaluation
15 certification, issue and expiration date of a medical
16 variance, or any grandfather provisions;

17 (8) any restrictions noted on the medical examiner's
18 certificate;

19 (9) the date the medical examiner's certificate
20 information was posted to the CDLIS driver record; and

21 (10) the medical examiner's National Registry of
22 Certified Medical Examiners identification number.

23 (f) Within 10 calendar days of the expiration or rescission
24 of the driver's medical examiner's certificate or medical
25 variance or both, the Secretary shall update the medical
26 certification status to "not certified".

1 (g) Within 10 calendar days of receipt of information from
2 the Federal Motor Carrier Safety Administration regarding
3 issuance or renewal of a medical variance, the Secretary shall
4 update the CDLIS driver record to include the medical variance
5 information provided by the Federal Motor Carrier Safety
6 Administration.

7 (g-5) Beginning June 22, 2018, within one business day of
8 electronic receipt of information from the Federal Motor
9 Carrier Safety Administration regarding issuance or renewal of
10 a medical variance, the Secretary shall update the CDLIS driver
11 record to include the medical variance information provided by
12 the Federal Motor Carrier Safety Administration.

13 (h) The Secretary shall notify the driver of his or her
14 non-certified status and that his or her CDL will be canceled
15 unless the driver submits a current medical examiner's
16 certificate or medical variance or changes his or her
17 self-certification to driving only in excepted or intrastate
18 commerce.

19 (i) Within 60 calendar days of a driver's medical
20 certification status becoming non-certified, the Secretary
21 shall cancel the CDL.

22 (j) As required under the Code of Federal Regulations 49
23 CFR 390.39, an operator of a covered farm vehicle, as defined
24 under Section 18b-101 of this Code, is exempt from the
25 requirements of this Section.

26 (k) For purposes of ensuring a person is medically fit to

1 drive a commercial motor vehicle, the Secretary may release
2 medical information provided by an applicant or a holder of a
3 CDL or CLP to the Federal Motor Carrier Safety Administration.
4 Medical information includes, but is not limited to, a medical
5 examiner's certificate, a medical report that the Secretary
6 requires to be submitted, statements regarding medical
7 conditions made by an applicant or a holder of a CDL or CLP, or
8 statements made by his or her physician.

9 (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section
10 of P.A. 99-414 for the effective date of changes made by
11 P.A. 98-176); 99-57, eff. 7-16-15; 99-607, eff. 7-22-16.)

12 (625 ILCS 5/11-1414) (from Ch. 95 1/2, par. 11-1414)

13 Sec. 11-1414. Approaching, overtaking, and passing school
14 bus.

15 (a) The driver of a vehicle shall stop such vehicle before
16 meeting or overtaking, from either direction, any school bus
17 stopped on a highway, roadway, private road, parking lot,
18 school property, or at any other location, including, without
19 limitation, a location that is not a highway or roadway for the
20 purpose of receiving or discharging pupils. Such stop is
21 required before reaching the school bus when there is in
22 operation on the school bus the visual signals as specified in
23 Sections 12-803 and 12-805 of this Code. The driver of the
24 vehicle shall not proceed until the school bus resumes motion
25 or the driver of the vehicle is signaled by the school bus

1 driver to proceed or the visual signals are no longer actuated.

2 (a-5) A person commits aggravated overtaking or passing of
3 a school bus when he or she violates subsection (a) of this
4 Section and in committing the violation he or she was involved
5 in a motor vehicle accident that results in death to another
6 and the violation was a proximate cause of the death.

7 (b) The stop signal arm required by Section 12-803 of this
8 Code shall be extended after the school bus has come to a
9 complete stop for the purpose of loading or discharging pupils
10 and shall be closed before the school bus is placed in motion
11 again. The stop signal arm shall not be extended at any other
12 time.

13 (c) The alternately flashing red signal lamps of an 8-lamp
14 flashing signal system required by Section 12-805 of this Code
15 shall be actuated after the school bus has come to a complete
16 stop for the purpose of loading or discharging pupils and shall
17 be turned off before the school bus is placed in motion again.
18 The red signal lamps shall not be actuated at any other time
19 except as provided in paragraph (d) of this Section.

20 (d) The alternately flashing amber signal lamps of an
21 8-lamp flashing signal system required by Section 12-805 of
22 this Code shall be actuated continuously during not less than
23 the last 100 feet traveled by the school bus before stopping
24 for the purpose of loading or discharging pupils within an
25 urban area and during not less than the last 200 feet traveled
26 by the school bus outside an urban area. The amber signal lamps

1 shall remain actuated until the school bus is stopped. The
2 amber signal lamps shall not be actuated at any other time.

3 (d-5) The alternately flashing head lamps permitted by
4 Section 12-805 of this Code may be operated while the
5 alternately flashing red or amber signal lamps required by that
6 Section are actuated.

7 (e) The driver of a vehicle upon a highway having 4 or more
8 lanes which permits at least 2 lanes of traffic to travel in
9 opposite directions need not stop such vehicle upon meeting a
10 school bus which is stopped in the opposing roadway; and need
11 not stop such vehicle when driving upon a controlled access
12 highway when passing a school bus traveling in either direction
13 that is stopped in a loading zone adjacent to the surfaced or
14 improved part of the controlled access highway where
15 pedestrians are not permitted to cross.

16 (f) Beginning with the effective date of this amendatory
17 Act of 1985, the Secretary of State shall suspend for a period
18 of 3 months the driving privileges of any person convicted of a
19 violation of subsection (a) of this Section or a similar
20 provision of a local ordinance; the Secretary shall suspend for
21 a period of one year the driving privileges of any person
22 convicted of a second or subsequent violation of subsection (a)
23 of this Section or a similar provision of a local ordinance if
24 the second or subsequent violation occurs within 5 years of a
25 prior conviction for the same offense. In addition to the
26 suspensions authorized by this Section, any person convicted of

1 violating this Section or a similar provision of a local
2 ordinance shall be subject to a mandatory fine of \$150 or, upon
3 a second or subsequent violation, \$500. The Secretary may also
4 grant, for the duration of any suspension issued under this
5 subsection, a restricted driving permit granting the privilege
6 of driving a motor vehicle between the driver's residence and
7 place of employment or within other proper limits that the
8 Secretary of State shall find necessary to avoid any undue
9 hardship. A restricted driving permit issued hereunder shall be
10 subject to cancellation, revocation and suspension by the
11 Secretary of State in like manner and for like cause as a
12 driver's license may be cancelled, revoked or suspended; except
13 that a conviction upon one or more offenses against laws or
14 ordinances regulating the movement of traffic shall be deemed
15 sufficient cause for the revocation, suspension or
16 cancellation of the restricted driving permit. The Secretary of
17 State may, as a condition to the issuance of a restricted
18 driving permit, require the applicant to participate in a
19 designated driver remedial or rehabilitative program. Any
20 conviction for a violation of this subsection shall be included
21 as an offense for the purposes of determining suspension action
22 under any other provision of this Code, provided however, that
23 the penalties provided under this subsection shall be imposed
24 unless those penalties imposed under other applicable
25 provisions are greater.

26 The owner of any vehicle alleged to have violated paragraph

1 (a) of this Section shall, upon appropriate demand by the
2 State's Attorney or other designated person acting in response
3 to a signed complaint, provide a written statement or
4 deposition identifying the operator of the vehicle if such
5 operator was not the owner at the time of the alleged
6 violation. Failure to supply such information shall result in
7 the suspension of the vehicle registration of the vehicle for a
8 period of 3 months. In the event the owner has assigned control
9 for the use of the vehicle to another, the person to whom
10 control was assigned shall comply with the provisions of this
11 paragraph and be subject to the same penalties as herein
12 provided.

13 (Source: P.A. 99-740, eff. 1-1-17.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.