

# HB4694



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

**HB4694**

Introduced 1/21/2022, by Rep. Tim Ozinga

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/27-24.2  
625 ILCS 5/1-103

from Ch. 122, par. 27-24.2  
from Ch. 95 1/2, par. 1-103

Amends the Illinois Vehicle Code. Provides that "approved driver education course" includes online instruction. Makes corresponding changes.

LRB102 23273 RAM 32438 b

A BILL FOR

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 School Code is amended by changing Section  
5 27-24.2 as follows:

6 (105 ILCS 5/27-24.2) (from Ch. 122, par. 27-24.2)

7 Sec. 27-24.2. Safety education; driver education course.  
8 Instruction shall be given in safety education in each of  
9 grades one through 8, equivalent to one class period each  
10 week, and any school district which maintains grades 9 through  
11 12 shall offer a driver education course in any such school  
12 which it operates. Its curriculum shall include content  
13 dealing with Chapters 11, 12, 13, 15, and 16 of the Illinois  
14 Vehicle Code, the rules adopted pursuant to those Chapters  
15 insofar as they pertain to the operation of motor vehicles,  
16 and the portions of the Litter Control Act relating to the  
17 operation of motor vehicles. The course of instruction given  
18 in grades 10 through 12 shall include an emphasis on the  
19 development of knowledge, attitudes, habits, and skills  
20 necessary for the safe operation of motor vehicles, including  
21 motorcycles insofar as they can be taught in the classroom,  
22 and instruction on distracted driving as a major traffic  
23 safety issue. In addition, the course shall include

1 instruction on special hazards existing at and required safety  
2 and driving precautions that must be observed at emergency  
3 situations, highway construction and maintenance zones, and  
4 railroad crossings and the approaches thereto. Beginning with  
5 the 2017-2018 school year, the course shall also include  
6 instruction concerning law enforcement procedures for traffic  
7 stops, including a demonstration of the proper actions to be  
8 taken during a traffic stop and appropriate interactions with  
9 law enforcement. The course of instruction required of each  
10 eligible student at the high school level shall consist of a  
11 minimum of 30 clock hours of classroom or online instruction  
12 and a minimum of 6 clock hours of individual behind-the-wheel  
13 instruction in a dual control car on public roadways taught by  
14 a driver education instructor endorsed by the State Board of  
15 Education. A school district's decision to allow a student to  
16 take a portion of the driver education course through a  
17 distance learning program must be determined on a case-by-case  
18 basis and must be approved by the school's administration,  
19 including the student's driver education teacher, and the  
20 student's parent or guardian. Under no circumstances may the  
21 student take the entire driver education course through a  
22 distance learning program. Both the classroom or online  
23 instruction part and the practice driving part of a driver  
24 education course shall be open to a resident or non-resident  
25 student attending a non-public school in the district wherein  
26 the course is offered. Each student attending any public or

1 non-public high school in the district must receive a passing  
2 grade in at least 8 courses during the previous 2 semesters  
3 prior to enrolling in a driver education course, or the  
4 student shall not be permitted to enroll in the course;  
5 provided that the local superintendent of schools (with  
6 respect to a student attending a public high school in the  
7 district) or chief school administrator (with respect to a  
8 student attending a non-public high school in the district)  
9 may waive the requirement if the superintendent or chief  
10 school administrator, as the case may be, deems it to be in the  
11 best interest of the student. A student may be allowed to  
12 commence the classroom or online instruction part of such  
13 driver education course prior to reaching age 15 if such  
14 student then will be eligible to complete the entire course  
15 within 12 months after being allowed to commence such  
16 ~~classroom~~ instruction.

17 A school district may offer a driver education course in a  
18 school by contracting with a commercial driver training school  
19 to provide both the classroom or online instruction part and  
20 the practice driving part or either one without having to  
21 request a modification or waiver of administrative rules of  
22 the State Board of Education if the school district approves  
23 the action during a public hearing on whether to enter into a  
24 contract with a commercial driver training school. The public  
25 hearing shall be held at a regular or special school board  
26 meeting prior to entering into such a contract. If a school

1 district chooses to approve a contract with a commercial  
2 driver training school, then the district must provide  
3 evidence to the State Board of Education that the commercial  
4 driver training school with which it will contract holds a  
5 license issued by the Secretary of State under Article IV of  
6 Chapter 6 of the Illinois Vehicle Code and that each  
7 instructor employed by the commercial driver training school  
8 to provide instruction to students served by the school  
9 district holds a valid teaching license issued under the  
10 requirements of this Code and rules of the State Board of  
11 Education. Such evidence must include, but need not be limited  
12 to, a list of each instructor assigned to teach students  
13 served by the school district, which list shall include the  
14 instructor's name, personal identification number as required  
15 by the State Board of Education, birth date, and driver's  
16 license number. Once the contract is entered into, the school  
17 district shall notify the State Board of Education of any  
18 changes in the personnel providing instruction either (i)  
19 within 15 calendar days after an instructor leaves the program  
20 or (ii) before a new instructor is hired. Such notification  
21 shall include the instructor's name, personal identification  
22 number as required by the State Board of Education, birth  
23 date, and driver's license number. If the school district  
24 maintains an Internet website, then the district shall post a  
25 copy of the final contract between the district and the  
26 commercial driver training school on the district's Internet

1 website. If no Internet website exists, then the school  
2 district shall make available the contract upon request. A  
3 record of all materials in relation to the contract must be  
4 maintained by the school district and made available to  
5 parents and guardians upon request. The instructor's date of  
6 birth and driver's license number and any other personally  
7 identifying information as deemed by the federal Driver's  
8 Privacy Protection Act of 1994 must be redacted from any  
9 public materials.

10 Such a course may be commenced immediately after the  
11 completion of a prior course. Teachers of such courses shall  
12 meet the licensure requirements of this Code and regulations  
13 of the State Board as to qualifications. Except for a contract  
14 with a Certified Driver Rehabilitation Specialist, a school  
15 district that contracts with a third party to teach a driver  
16 education course under this Section must ensure the teacher  
17 meets the educator licensure and endorsement requirements  
18 under Article 21B and must follow the same evaluation and  
19 observation requirements that apply to non-tenured teachers  
20 under Article 24A. The teacher evaluation must be conducted by  
21 a school administrator employed by the school district and  
22 must be submitted annually to the district superintendent and  
23 all school board members for oversight purposes.

24 Subject to rules of the State Board of Education, the  
25 school district may charge a reasonable fee, not to exceed  
26 \$50, to students who participate in the course, unless a

1 student is unable to pay for such a course, in which event the  
2 fee for such a student must be waived. However, the district  
3 may increase this fee to an amount not to exceed \$250 by school  
4 board resolution following a public hearing on the increase,  
5 which increased fee must be waived for students who  
6 participate in the course and are unable to pay for the course.  
7 The total amount from driver education fees and reimbursement  
8 from the State for driver education must not exceed the total  
9 cost of the driver education program in any year and must be  
10 deposited into the school district's driver education fund as  
11 a separate line item budget entry. All moneys deposited into  
12 the school district's driver education fund must be used  
13 solely for the funding of a high school driver education  
14 program approved by the State Board of Education that uses  
15 driver education instructors endorsed by the State Board of  
16 Education.

17 (Source: P.A. 101-183, eff. 8-2-19; 101-450, eff. 8-23-19;  
18 102-558, eff. 8-20-21.)

19 Section 10. The Illinois Vehicle Code is amended by  
20 changing Section 1-103 as follows:

21 (625 ILCS 5/1-103) (from Ch. 95 1/2, par. 1-103)

22 Sec. 1-103. Approved driver education course. (a) Any  
23 course of driver education, including online instruction,  
24 approved by the State Board of Education, offered by public or

1 private schools maintaining grades 9 through 12, and meeting  
2 at least the minimum requirements of the "Driver Education  
3 Act", as now or hereafter amended, (b) any course of driver  
4 education offered by a school licensed to give driver  
5 education instructions under this Act which meets at least the  
6 minimum educational requirements of the "Driver Education  
7 Act", as now or hereafter amended, and is approved by the State  
8 Board of Education, (c) any course of driver education given  
9 in another State to an Illinois resident attending school in  
10 such State and approved by the State administrator of the  
11 Driver Education Program of such other State, or (d) any  
12 course of driver education given at a Department of Defense  
13 Education Activity school that is approved by the Department  
14 of Defense Education Activity and taught by an adult driver  
15 education instructor or traffic safety officer.

16 (Source: P.A. 96-740, eff. 1-1-10.)