

1 AN ACT concerning State government.

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

4 Section 5. The Children and Family Services Act is amended  
5 by adding Section 4f as follows:

6 (20 ILCS 505/4f new)

7 Sec. 4f. Transportation providers; compliance  
8 requirements.

9 (a) A purchase of service agency under contract with the  
10 Department to provide transportation services to children and  
11 families under this Act must comply with all applicable  
12 federal and State laws and regulations and Department rules.  
13 When the purchase of service agency signs the purchase of  
14 service contract, this signature shall be the agency's  
15 certification of compliance with the applicable laws,  
16 regulations, and rules. Additionally, the signed purchase of  
17 service contract shall be the agency's certification that:

18 (1) the agency has trained all of its drivers who  
19 transport children on behalf of the Department on how to  
20 properly install and operate an approved child restraint  
21 system as defined in the Child Passenger Protection Act;

22 (2) all drivers possess a valid driver's license and  
23 have a driving record devoid of any convictions of traffic

1 violations or evidence of committing an offense for which  
2 mandatory revocation would be required upon conviction in  
3 accordance with Section 6-205 of the Illinois Vehicle  
4 Code;

5 (3) any motor vehicle operated by a driver during the  
6 transport of any child on behalf of the Department is  
7 insured as required under the Illinois Vehicle Code and  
8 such insurance will be maintained throughout the period  
9 for which the motor vehicle is used to transport any child  
10 on behalf of the Department, and the driver will not  
11 operate the motor vehicle unless the required insurance is  
12 in effect; and

13 (4) all vehicles used to transport children on behalf  
14 of the Department are properly maintained, clean, and  
15 smoke free with properly functioning heating and air  
16 conditioner systems that the driver has been instructed to  
17 utilize as appropriate for the weather conditions.

18 A purchase of service agency must provide a designated  
19 telephone number that drivers, parents, foster parents, and  
20 legal guardians can use to communicate with the agency at any  
21 point before or during a scheduled transport or family visit  
22 to notify the agency regarding a late pickup or arrival. The  
23 agency must have staff available to accept all calls to the  
24 designated telephone number.

25 (b) Every driver employed by a purchase of service agency  
26 who transports children on behalf of the Department must

1 submit, as a condition of employment, a signed written  
2 statement certifying that he or she will comply with all  
3 applicable federal and State laws and regulations and  
4 Department rules, and must attest to all of the following in  
5 his or her signed written statement:

6 (1) that he or she possesses the requisite knowledge  
7 to properly install and operate an approved child  
8 restraint system as defined in the Child Passenger  
9 Protection Act;

10 (2) that he or she possesses a valid driver's license  
11 and has a driving record devoid of any convictions of  
12 traffic violations or evidence of committing an offense  
13 for which mandatory revocation would be required upon  
14 conviction in accordance with Section 6-205 of the  
15 Illinois Vehicle Code;

16 (3) that the motor vehicle he or she operates to  
17 transport children on behalf of the Department is insured  
18 as required under the Illinois Vehicle Code and such  
19 insurance will be maintained throughout the period for  
20 which the motor vehicle is used to transport any child on  
21 behalf of the Department, and he or she will not operate  
22 the motor vehicle unless the required insurance is in  
23 effect;

24 (4) that the motor vehicle he or she operates to  
25 transport children on behalf of the Department is properly  
26 maintained, clean, and smoke free with properly

1 functioning heating and air conditioner systems that he or  
2 she will utilize as appropriate for the weather  
3 conditions;

4 (5) that he or she can effectively communicate with  
5 the parents, foster parents, or legal guardians of the  
6 children he or she transports; and

7 (6) that, as a condition of employment, he or she has  
8 consented to and completed a fingerprint-based criminal  
9 history records check performed by the Illinois State  
10 Police and the Federal Bureau of Investigation, or some  
11 other entity that has the ability to check his or her  
12 fingerprints against the fingerprint records now and  
13 hereafter filed in the Illinois State Police and Federal  
14 Bureau of Investigation criminal history records  
15 databases.

16 The Department must conduct annual checks on a purchase of  
17 service agency and the drivers under the agency's employment  
18 to ensure compliance with this Section and all applicable  
19 laws, regulations, and Department rules. The Department may  
20 adopt any rules necessary to implement the provisions of this  
21 Section.