



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3183

Introduced 1/13/2022, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

105 ILCS 5/29-6.3

625 ILCS 5/11-1414.1

from Ch. 95 1/2, par. 11-1414.1

Amends the Transportation Article of the School Code. Allows the use of a multi-function school activity bus (MFSAB) that is manufactured to transport not more than 15 persons, including the driver, or a vehicle manufactured to transport not more than 10 persons, including the driver, for the transportation of students in any of grades 9 through 12 for any curriculum-related activity (other than for transportation to and from home on regular bus routes) if the driver (i) holds a minimum of a valid driver's license and (ii) is an employee or contractual employee of the school district or a third-party contractor (rather than allowing the use of an MFSAB for transporting such students only if the driver holds a valid school bus driver permit). Makes a conforming change to the Illinois Vehicle Code. Effective immediately.

LRB102 21122 CMG 30102 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 School Code is amended by changing Section
5 29-6.3 as follows:

6 (105 ILCS 5/29-6.3)

7 Sec. 29-6.3. Transportation to and from specified
8 interscholastic or school-sponsored activities.

9 (a) Any school district transporting students in grade 12
10 or below for an interscholastic, interscholastic athletic, or
11 school-sponsored, noncurriculum-related activity that (i) does
12 not require student participation as part of the educational
13 services of the district and (ii) is not associated with the
14 students' regular class-for-credit schedule or required 5
15 clock hours of instruction under Section 10-19.05 shall
16 transport the students only in a school bus, a vehicle
17 manufactured to transport not more than 10 persons, including
18 the driver, or a multifunction school-activity bus
19 manufactured to transport not more than 15 persons, including
20 the driver.

21 (a-5) A student in any of grades 9 through 12 may be
22 transported in a multi-function school activity bus (MFSAB) as
23 defined in Section 1-148.3a-5 of the Illinois Vehicle Code

1 that is manufactured to transport not more than 15 persons,
2 including the driver, or a vehicle manufactured to transport
3 not more than 10 persons, including the driver, for any
4 curriculum-related activity except for transportation on
5 regular bus routes from home to school or from school to home,
6 subject to the following conditions:

7 (i) The MFSAB or vehicle may be used to transport
8 students under this subsection if the driver holds a
9 minimum of a valid driver's license and is an employee or
10 contractual employee of the school district or a
11 third-party contractor. A MFSAB may not be used to
12 transport students under this Section unless the driver
13 holds a valid school bus driver permit.

14 (ii) The use of a MFSAB under this Section is subject
15 to the requirements of Sections 6-106.11, 6-106.12,
16 12-707.01, 13-101, and 13-109 of the Illinois Vehicle
17 Code.

18 (b) Any school district furnishing transportation for
19 students under the authority of this Section shall insure
20 against any loss or liability of the district resulting from
21 the maintenance, operation, or use of the vehicle.

22 (c) Vehicles used to transport students under this Section
23 may claim a depreciation allowance of 20% over 5 years as
24 provided in Section 29-5 of this Code.

25 (Source: P.A. 101-12, eff. 7-1-19.)

1 Section 10. The Illinois Vehicle Code is amended by
2 changing Section 11-1414.1 as follows:

3 (625 ILCS 5/11-1414.1) (from Ch. 95 1/2, par. 11-1414.1)

4 Sec. 11-1414.1. School transportation of students.

5 (a) Every student enrolled in grade 12 or below in any
6 entity listed in subsection (a) of Section 1-182 of this Code
7 must be transported in a school bus or a vehicle described in
8 subdivision (1) or (2) of subsection (b) of Section 1-182 of
9 this Code for any curriculum-related school activity, except
10 that unless subsection (a-5) of Section 29-6.3 of the School
11 Code provides otherwise, a student in any of grades 9 through
12 12 or a student in any of grades K through 12 with an
13 Individualized Education Plan (IEP) with a staff to student
14 ratio of 1 to 5, and attending Acacia Academy, Alexander
15 Leigh, Marklund, Helping Hands Center, Connections
16 Organization, Soaring Eagle Academy, or New Horizon Academy
17 may be transported in a multi-function school activity bus
18 (MFSAB) as defined in Section 1-148.3a-5 of this Code for any
19 curriculum-related activity except for transportation on
20 regular bus routes from home to school or from school to home,
21 subject to the following conditions:

22 (i) A MFSAB may not be used to transport students
23 under this Section unless the driver holds a valid school
24 bus driver permit.

25 (ii) The use of a MFSAB under this Section is subject

1 to the requirements of Sections 6-106.11, 6-106.12,
2 12-707.01, 13-101, and 13-109 of this Code.

3 "Curriculum-related school activity" as used in this
4 subsection (a) includes transportation from home to school or
5 from school to home, tripper or shuttle service between school
6 attendance centers, transportation to a vocational or career
7 center or other trade-skill development site or a regional
8 safe school or other school-sponsored alternative learning
9 program, or a trip that is directly related to the regular
10 curriculum of a student for which he or she earns credit.

11 (b) Every student enrolled in grade 12 or below in any
12 entity listed in subsection (a) of Section 1-182 of this Code
13 who is transported in a vehicle that is being operated by or
14 for a public or private primary or secondary school, including
15 any primary or secondary school operated by a religious
16 institution, for an interscholastic,
17 interscholastic-athletic, or school-sponsored,
18 noncurriculum-related activity that (i) does not require
19 student participation as part of the educational services of
20 the entity and (ii) is not associated with the students'
21 regular class-for-credit schedule shall transport students
22 only in a school bus or vehicle described in subsection (b) of
23 Section 1-182 of this Code. A student participating in an
24 agrarian-related activity may also be transported in a second
25 division pick-up truck registered under paragraph 7 of
26 subsection (b) of Section 3-808.1. For purposes of this

1 subsection, "pick-up truck" means a truck weighing 12,000
2 pounds or less with an enclosed cabin that can seat up to 6
3 passengers with seatbelts, including the driver, and an open
4 cargo area. This subsection (b) does not apply to any second
5 division vehicle used by an entity listed in subsection (a) of
6 Section 1-182 of this Code for a parade, homecoming, or a
7 similar noncurriculum-related school activity.

8 (Source: P.A. 102-544, eff. 8-20-21.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.