

1 AN ACT in relation to vehicles.

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 adding Section
5 10-20.21a and changing Section 29-15 as follows:

6 (105 ILCS 5/10-20.21a new)

7 Sec. 10-20.21a. Contracts for charter bus services. To
8 award contracts for providing charter bus services for the
9 sole purpose of transporting students regularly enrolled in
10 grade 12 or below to or from interscholastic athletic or
11 interscholastic or school sponsored activities.

12 All contracts for providing charter bus services for the
13 sole purpose of transporting students regularly enrolled in
14 grade 12 or below to or from interscholastic athletic or
15 interscholastic or school sponsored activities must contain
16 clause (A) as set forth below, except that a contract with an
17 out-of-state company may contain clause (B), as set forth
18 below, or clause (A). The clause must be set forth in the
19 body of the contract in typeface of at least 12 points and
20 all upper case letters:

21 (A) "ALL OF THE CHARTER BUS DRIVERS WHO WILL BE
22 PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE
23 BEFORE ANY SERVICES ARE PROVIDED:

24 (1) SUBMITTED THEIR FINGERPRINTS TO THE DEPARTMENT
25 OF STATE POLICE IN THE FORM AND MANNER PRESCRIBED BY THE
26 DEPARTMENT OF STATE POLICE. THESE FINGERPRINTS SHALL BE
27 CHECKED AGAINST THE FINGERPRINT RECORDS NOW AND HEREAFTER
28 FILED IN THE DEPARTMENT OF STATE POLICE AND FEDERAL
29 BUREAU OF INVESTIGATION CRIMINAL HISTORY RECORDS
30 DATABASES. THE FINGERPRINT CHECK HAS RESULTED IN A
31 DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF

1 COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION
2 (C-1)(4) OF SECTION 6-508 OF THE ILLINOIS VEHICLE CODE;
3 AND

4 (2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL
5 BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION,
6 INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY
7 AGENCY."

8 (B) "NOT ALL OF THE CHARTER BUS DRIVERS WHO WILL BE
9 PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE
10 BEFORE ANY SERVICES ARE PROVIDED:

11 (1) SUBMITTED THEIR FINGERPRINTS TO THE DEPARTMENT
12 OF STATE POLICE IN THE FORM AND MANNER PRESCRIBED BY THE
13 DEPARTMENT OF STATE POLICE. THESE FINGERPRINTS SHALL BE
14 CHECKED AGAINST THE FINGERPRINT RECORDS NOW AND HEREAFTER
15 FILED IN THE DEPARTMENT OF STATE POLICE AND FEDERAL
16 BUREAU OF INVESTIGATION CRIMINAL HISTORY RECORDS
17 DATABASES. THE FINGERPRINT CHECK HAS RESULTED IN A
18 DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF
19 COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION
20 (C-1)(4) OF SECTION 6-508 OF THE ILLINOIS VEHICLE CODE;
21 AND

22 (2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL
23 BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION,
24 INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY
25 AGENCY."

26 (105 ILCS 5/29-15) (from Ch. 122, par. 29-15)
27 Sec. 29-15.

28 Subject to the provisions of Section 10-22.8 of this Act,
29 school districts, which own buses or other vehicular
30 equipment for the transportation of pupils to or from school
31 within such district, may sell or lease such buses or
32 equipment to a Mass Transit District organized under the
33 Local Mass Transit District Act or to an Urban Transportation

1 District organized under the Urban Transportation District
2 Act. Such districts may enter into an intergovernmental
3 agreement under the Intergovernmental Cooperation Act
4 contract with a Mass Transit District, the Regional
5 Transportation Authority or any of its Service Boards, a
6 rural transportation program, or an Urban Transportation
7 District for the transportation of pupils to and from the
8 schools of such districts at a consideration to be determined
9 by negotiation between the parties, and the costs of those
10 intergovernmental agreements are eligible for reimbursement
11 by the State. Such contracts shall otherwise be subject to
12 the provisions of this Article.

13 (Source: P.A. 77-1492.)

14 Section 10. The Illinois Vehicle Code is amended by
15 changing Sections 6-104 and 6-508 as follows:

16 (625 ILCS 5/6-104) (from Ch. 95 1/2, par. 6-104)

17 Sec. 6-104. Classification of Driver - Special
18 Restrictions.

19 (a) A driver's license issued under the authority of
20 this Act shall indicate the classification for which the
21 applicant therefor has qualified by examination or by such
22 other means that the Secretary of State shall prescribe.
23 Driver's license classifications shall be prescribed by rule
24 or regulation promulgated by the Secretary of State and such
25 may specify classifications as to operation of motor vehicles
26 of the first division, or of those of the second division,
27 whether operated singly or in lawful combination, and whether
28 for-hire or not-for-hire, and may specify such other
29 classifications as the Secretary deems necessary.

30 No person shall operate a motor vehicle unless such
31 person has a valid license with a proper classification to
32 permit the operation of such vehicle, except that any person

1 may operate a motorized pedalcycle if such person has a valid
2 current Illinois driver's license, regardless of
3 classification.

4 (b) No person who is under the age of 21 years or has
5 had less than 1 year of driving experience shall drive: (1)
6 in connection with the operation of any school, day camp,
7 summer camp, or nursery school, any public or private motor
8 vehicle for transporting children to or from any school, day
9 camp, summer camp, or nursery school, or (2) any motor
10 vehicle of the second division when in use for the
11 transportation of persons for compensation.

12 (c) No person who is under the age of 18 years shall be
13 issued a license for the purpose of transporting property for
14 hire, or for the purpose of transporting persons for
15 compensation in a motor vehicle of the first division.

16 (d) No person shall drive: (1) a school bus when
17 transporting school children unless such person possesses a
18 valid school bus driver permit or is accompanied and
19 supervised, for the specific purpose of training prior to
20 routine operation of a school bus, by a person who has held a
21 valid school bus driver permit for at least one year; or (2)
22 any other vehicle owned or operated by or for a public or
23 private school, or a school operated by a religious
24 institution, where such vehicle is being used over a
25 regularly scheduled route for the transportation of persons
26 enrolled as a student in grade 12 or below, in connection
27 with any activity of the entities unless such person
28 possesses a valid school bus driver permit.

29 (d-5) No person may drive a bus that does not meet the
30 special requirements for school buses provided in Sections
31 12-801, 12-802, 12-803, and 12-805 of this Code that has been
32 chartered for the sole purpose of transporting students
33 regularly enrolled in grade 12 or below to or from
34 interscholastic athletic or interscholastic or school

1 sponsored activities unless the person has a valid and
2 properly classified commercial driver's license as provided
3 in subsection (c-1) of Section 6-508 of this Code school-bus
4 driver-permit in addition to any other permit or license that
5 is required to operate that bus. This subsection (d-5) does
6 not apply to any bus driver employed by a public
7 transportation provider authorized to conduct local or
8 interurban transportation of passengers when the bus is not
9 traveling a specific school bus route but is on a regularly
10 scheduled route for the transporting of other fare paying
11 passengers.

12 A person may operate a chartered bus described in this
13 subsection (d-5) if he or she is not disqualified from
14 driving a chartered bus of that type and if he or she holds a
15 CDL that is:

16 (1) issued to him or her by any other state or
17 jurisdiction in accordance with 49 CFR 383;

18 (2) not suspended, revoked, or canceled; and

19 (3) valid under 49 CFR 383, subpart F, for the type
20 of vehicle being driven.

21 A person may also operate a chartered bus described in
22 this subsection (d-5) if he or she holds a valid CDL and a
23 valid school bus driver permit that was issued on or before
24 December 31, 2003.

25 (e) No person shall drive a religious organization bus
26 unless such person has a valid and properly classified
27 drivers license or a valid school bus driver permit.

28 (f) No person shall drive a motor vehicle for the
29 purpose of providing transportation for the elderly in
30 connection with the activities of any public or private
31 organization unless such person has a valid and properly
32 classified driver's license issued by the Secretary of State.

33 (g) No person shall drive a bus which meets the special
34 requirements for school buses provided in Section 12-801,

1 12-802, 12-803 and 12-805 of this Code for the purpose of
2 transporting persons 18 years of age or less in connection
3 with any youth camp licensed under the Youth Camp Act or any
4 child care facility licensed under the Child Care Act of 1969
5 unless such person possesses a valid school bus driver permit
6 or is accompanied and supervised, for the specific purpose of
7 training prior to routine operation of a school bus, by a
8 person who has held a valid school bus driver permit for at
9 least one year; however, a person who has a valid and
10 properly classified driver's license issued by the Secretary
11 of State may operate a school bus for the purpose of
12 transporting persons 18 years of age or less in connection
13 with any such youth camp or child care facility if the
14 "SCHOOL BUS" signs are covered or concealed and the stop
15 signal arm and flashing signal systems are not operable
16 through normal controls.

17 (Source: P.A. 92-849, eff. 1-1-03.)

18 (625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)

19 Sec. 6-508. Commercial Driver's License (CDL) -
20 qualification standards.

21 (a) Testing.

22 (1) General. No person shall be issued an original
23 or renewal CDL unless that person is domiciled in this
24 State. The Secretary shall cause to be administered such
25 tests as the Secretary deems necessary to meet the
26 requirements of 49 C.F.R. Part 383, subparts G and H.

27 (2) Third party testing. The Secretary of state
28 may authorize a "third party tester", pursuant to 49
29 C.F.R. Part 383.75, to administer the skills test or
30 tests specified by Federal Highway Administration
31 pursuant to the Commercial Motor Vehicle Safety Act of
32 1986 and any appropriate federal rule.

33 (b) Waiver of Skills Test. The Secretary of State may

1 waive the skills test specified in this Section for a
2 commercial driver license applicant who meets the
3 requirements of 49 C.F.R. Part 383.77.

4 (c) Limitations on issuance of a CDL. A CDL, or a
5 commercial driver instruction permit, shall not be issued to
6 a person while the person is subject to a disqualification
7 from driving a commercial motor vehicle, or unless otherwise
8 permitted by this Code, while the person's driver's license
9 is suspended, revoked or cancelled in any state, or any
10 territory or province of Canada; nor may a CDL be issued to a
11 person who has a CDL issued by any other state, or foreign
12 jurisdiction, unless the person first surrenders all such
13 licenses. No CDL shall be issued to or renewed for a person
14 who does not meet the requirement of 49 CFR 391.41(b)(11).
15 The requirement may be met with the aid of a hearing aid.

16 (c-1) The Secretary may issue a CDL with a school bus
17 driver endorsement to allow a person to drive the type of bus
18 described in subsection (d-5) of Section 6-104 of this Code.
19 The CDL with a school bus driver endorsement may be issued
20 only to a person meeting the following requirements:

21 (1) the person has submitted his or her
22 fingerprints to the Department of State Police in the
23 form and manner prescribed by the Department of State
24 Police. These fingerprints shall be checked against the
25 fingerprint records now and hereafter filed in the
26 Department of State Police and Federal Bureau of
27 Investigation criminal history records databases;

28 (2) the person has passed a written test,
29 administered by the Secretary of State, on charter bus
30 operation, charter bus safety, and certain special
31 traffic laws relating to school buses determined by the
32 Secretary of State to be relevant to charter buses, and
33 submitted to a review of the applicant's driving habits
34 by the Secretary of State at the time the written test is

1 given;

2 (3) the person has demonstrated physical fitness to
3 operate school buses by submitting the results of a
4 medical examination, including tests for drug use; and

5 (4) the person has not been convicted of committing
6 or attempting to commit any one or more of the following
7 offenses: (i) those offenses defined in Sections 9-1,
8 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2, 10-3.1,
9 10-4, 10-5, 10-6, 10-7, 11-6, 11-9, 11-9.1, 11-14, 11-15,
10 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2,
11 11-20, 11-20.1, 11-21, 11-22, 12-3.1, 12-4.1, 12-4.2,
12 12-4.3, 12-4.4, 12-4.5, 12-6, 12-6.2, 12-7.1, 12-7.3,
13 12-7.4, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16,
14 12-16.2, 12-21.5, 12-21.6, 12-33, 18-1, 18-2, 18-3, 18-4,
15 18-5, 20-1, 20-1.1, 20-2, 24-1, 24-1.1, 24-1.2, 24-3.3,
16 31A-1, 31A-1.1, and 33A-2, and in subsection (a) and
17 subsection (b), clause (1), of Section 12-4 of the
18 Criminal Code of 1961; (ii) those offenses defined in the
19 Cannabis Control Act except those offenses defined in
20 subsections (a) and (b) of Section 4, and subsection (a)
21 of Section 5 of the Cannabis Control Act; (iii) those
22 offenses defined in the Illinois Controlled Substances
23 Act; (iv) any offense committed or attempted in any other
24 state or against the laws of the United States, which if
25 committed or attempted in this State would be punishable
26 as one or more of the foregoing offenses; (v) the
27 offenses defined in Sections 4.1 and 5.1 of the Wrongs to
28 Children Act and (vi) those offenses defined in Section
29 6-16 of the Liquor Control Act of 1934.

30 The Department of State Police shall charge a fee for
31 conducting the criminal history records check, which shall be
32 deposited into the State Police Services Fund and may not
33 exceed the actual cost of the records check.

34 (d) Commercial driver instruction permit. A commercial

1 driver instruction permit may be issued to any person holding
2 a valid Illinois driver's license if such person successfully
3 passes such tests as the Secretary determines to be
4 necessary. A commercial driver instruction permit shall not
5 be issued to a person who does not meet the requirements of
6 49 CFR 391.41 (b)(11), except for the renewal of a commercial
7 driver instruction permit for a person who possesses a
8 commercial instruction permit prior to the effective date of
9 this amendatory Act of 1999.

10 (Source: P.A. 91-350, eff. 7-29-99.)