



Rep. Patricia Reid Lindner

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09400HB3130ham001

LRB094 08504 DRH 43827 a

1 AMENDMENT TO HOUSE BILL 3130

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3130 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 6-514 as follows:

6 (625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)

7 Sec. 6-514. Commercial Driver's License (CDL) -  
8 Disqualifications.

9 (a) A person shall be disqualified from driving a  
10 commercial motor vehicle for a period of not less than 12  
11 months for the first violation of:

12 (1) Refusing to submit to or failure to complete a test  
13 or tests to determine the driver's blood concentration of  
14 alcohol, other drug, or both, while driving a commercial  
15 motor vehicle; or

16 (2) Operating a commercial motor vehicle while the  
17 alcohol concentration of the person's blood, breath or  
18 urine is at least 0.04, or any amount of a drug, substance,  
19 or compound in the person's blood or urine resulting from  
20 the unlawful use or consumption of cannabis listed in the  
21 Cannabis Control Act or a controlled substance listed in  
22 the Illinois Controlled Substances Act as indicated by a  
23 police officer's sworn report or other verified evidence;  
24 or

1 (3) Conviction for a first violation of:

2 (i) Driving a commercial motor vehicle while under  
3 the influence of alcohol, or any other drug, or  
4 combination of drugs to a degree which renders such  
5 person incapable of safely driving; or

6 (ii) Knowingly and wilfully leaving the scene of an  
7 accident while operating a commercial motor vehicle;  
8 or

9 (iii) Driving a commercial motor vehicle while  
10 committing any felony.

11 If any of the above violations or refusals occurred  
12 while transporting hazardous material(s) required to be  
13 placarded, the person shall be disqualified for a period of  
14 not less than 3 years.

15 (b) A person is disqualified for life for a second  
16 conviction of any of the offenses specified in paragraph (a),  
17 or any combination of those offenses, arising from 2 or more  
18 separate incidents.

19 (c) A person is disqualified from driving a commercial  
20 motor vehicle for life who uses a commercial motor vehicle in  
21 the commission of any felony involving the manufacture,  
22 distribution, or dispensing of a controlled substance, or  
23 possession with intent to manufacture, distribute or dispense a  
24 controlled substance.

25 (d) The Secretary of State may, when the United States  
26 Secretary of Transportation so authorizes, issue regulations  
27 in which a disqualification for life under paragraph (b) may be  
28 reduced to a period of not less than 10 years. If a reinstated  
29 driver is subsequently convicted of another disqualifying  
30 offense, as specified in subsection (a) of this Section, he or  
31 she shall be permanently disqualified for life and shall be  
32 ineligible to again apply for a reduction of the lifetime  
33 disqualification.

34 (e) A person is disqualified from driving a commercial

1 motor vehicle for a period of not less than 2 months if  
2 convicted of 2 serious traffic violations, committed in a  
3 commercial motor vehicle, arising from separate incidents,  
4 occurring within a 3 year period. However, a person will be  
5 disqualified from driving a commercial motor vehicle for a  
6 period of not less than 4 months if convicted of 3 serious  
7 traffic violations, committed in a commercial motor vehicle,  
8 arising from separate incidents, occurring within a 3 year  
9 period.

10 (f) Notwithstanding any other provision of this Code, any  
11 driver disqualified from operating a commercial motor vehicle,  
12 pursuant to this UCDLA, shall not be eligible for restoration  
13 of commercial driving privileges during any such period of  
14 disqualification.

15 (g) After suspending, revoking, or cancelling a commercial  
16 driver's license, the Secretary of State must update the  
17 driver's records to reflect such action within 10 days. After  
18 suspending or revoking the driving privilege of any person who  
19 has been issued a CDL or commercial driver instruction permit  
20 from another jurisdiction, the Secretary shall originate  
21 notification to such issuing jurisdiction within 10 days.

22 (h) The "disqualifications" referred to in this Section  
23 shall not be imposed upon any commercial motor vehicle driver,  
24 by the Secretary of State, unless the prohibited action(s)  
25 occurred after March 31, 1992.

26 (i) A person is disqualified from driving a commercial  
27 motor vehicle in accordance with the following:

- 28 (1) For 6 months upon a first conviction of paragraph  
29 (2) of subsection (b) of Section 6-507 of this Code.

30 (1.1) For 6 months, and until he or she has performed  
31 100 hours of mandatory community service, upon his or her  
32 involvement as a driver in a fatal accident, unless it is  
33 indicated on the police accident report or held by a court  
34 that a person who died as a result of the accident caused

1       the accident.

2           (2) For one year upon a second conviction of paragraph  
3       (2) of subsection (b) of Section 6-507 of this Code within  
4       a 10-year period.

5           (3) For 3 years upon a third or subsequent conviction  
6       of paragraph (2) of subsection (b) of Section 6-507 of this  
7       Code within a 10-year period.

8           (4) For one year upon a first conviction of paragraph  
9       (3) of subsection (b) of Section 6-507 of this Code.

10          (5) For 3 years upon a second conviction of paragraph  
11       (3) of subsection (b) of Section 6-507 of this Code within  
12       a 10-year period.

13          (6) For 5 years upon a third or subsequent conviction  
14       of paragraph (3) of subsection (b) of Section 6-507 of this  
15       Code within a 10-year period.

16       (j) Disqualification for railroad-highway grade crossing  
17       violation.

18           (1) General rule. A driver who is convicted of a  
19       violation of a federal, State, or local law or regulation  
20       pertaining to one of the following 6 offenses at a  
21       railroad-highway grade crossing must be disqualified from  
22       operating a commercial motor vehicle for the period of time  
23       specified in paragraph (2) of this subsection (j) if the  
24       offense was committed while operating a commercial motor  
25       vehicle:

26           (i) For drivers who are not required to always  
27       stop, failing to slow down and check that the tracks  
28       are clear of an approaching train, as described in  
29       subsection (a-5) of Section 11-1201 of this Code;

30           (ii) For drivers who are not required to always  
31       stop, failing to stop before reaching the crossing, if  
32       the tracks are not clear, as described in subsection  
33       (a) of Section 11-1201 of this Code;

34           (iii) For drivers who are always required to stop,

1 failing to stop before driving onto the crossing, as  
2 described in Section 11-1202 of this Code;

3 (iv) For all drivers, failing to have sufficient  
4 space to drive completely through the crossing without  
5 stopping, as described in subsection (b) of Section  
6 11-1425 of this Code;

7 (v) For all drivers, failing to obey a traffic  
8 control device or the directions of an enforcement  
9 official at the crossing, as described in subdivision  
10 (a)2 of Section 11-1201 of this Code;

11 (vi) For all drivers, failing to negotiate a  
12 crossing because of insufficient undercarriage  
13 clearance, as described in subsection (d-1) of Section  
14 11-1201 of this Code.

15 (2) Duration of disqualification for railroad-highway  
16 grade crossing violation.

17 (i) First violation. A driver must be disqualified  
18 from operating a commercial motor vehicle for not less  
19 than 60 days if the driver is convicted of a violation  
20 described in paragraph (1) of this subsection (j) and,  
21 in the three-year period preceding the conviction, the  
22 driver had no convictions for a violation described in  
23 paragraph (1) of this subsection (j).

24 (ii) Second violation. A driver must be  
25 disqualified from operating a commercial motor vehicle  
26 for not less than 120 days if the driver is convicted  
27 of a violation described in paragraph (1) of this  
28 subsection (j) and, in the three-year period preceding  
29 the conviction, the driver had one other conviction for  
30 a violation described in paragraph (1) of this  
31 subsection (j) that was committed in a separate  
32 incident.

33 (iii) Third or subsequent violation. A driver must  
34 be disqualified from operating a commercial motor

1           vehicle for not less than one year if the driver is  
2           convicted of a violation described in paragraph (1) of  
3           this subsection (j) and, in the three-year period  
4           preceding the conviction, the driver had 2 or more  
5           other convictions for violations described in  
6           paragraph (1) of this subsection (j) that were  
7           committed in separate incidents.

8           (Source: P.A. 92-249, eff. 1-1-02; 92-834, eff. 8-22-02.)".