

1 AN ACT concerning regulation.

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 changing Section 5c as follows:

6 (20 ILCS 505/5c)

7 Sec. 5c. Direct child welfare service employee license.

8 (a) By January 1, 2000, the Department, in consultation  
9 with private child welfare agencies, shall develop and  
10 implement a direct child welfare service employee license. By  
11 January 1, 2001 all child protective investigators and  
12 supervisors and child welfare specialists and supervisors  
13 employed by the Department or its contractors shall be required  
14 to demonstrate sufficient knowledge and skills to obtain and  
15 maintain the license. The Direct Child Welfare Service Employee  
16 License Board of the Department shall have the authority to  
17 revoke or suspend the license of anyone who after a hearing is  
18 found to be guilty of misfeasance. The Department shall  
19 promulgate such rules as necessary to implement this Section.

20 (b) If a direct child welfare service employee licensee is  
21 expected to transport a child or children with a motor vehicle  
22 in the course of performing his or her duties, the Department  
23 must verify that the licensee meets the requirements set forth  
24 in Section 5.1 of the Child Care Act of 1969. The Department  
25 must make that verification as to each such licensee every 2  
26 years. Upon the Department's request, the Secretary of State  
27 shall provide the Department with the information necessary to  
28 enable the Department to make the verifications required under  
29 this subsection. If the Department discovers that a direct  
30 child welfare service employee licensee has engaged in  
31 transporting a child or children with a motor vehicle without  
32 having a valid driver's license, the Department shall

1 immediately revoke the individual's direct child welfare  
2 service employee license.

3 (c) On or before January 1, 2000, and every year  
4 thereafter, the Department shall submit an annual report to the  
5 General Assembly on the implementation of this Section.

6 (Source: P.A. 92-471, eff. 8-22-01.)

7 Section 10. The Child Care Act of 1969 is amended by  
8 changing Section 5.1 as follows:

9 (225 ILCS 10/5.1) (from Ch. 23, par. 2215.1)

10 Sec. 5.1. (a) The Department shall ensure ~~assure~~ that no  
11 day care center, group home or child care institution as  
12 defined in this Act shall on a regular basis transport a child  
13 or children with any motor vehicle unless such vehicle is  
14 operated by a person who ~~that~~ complies with the following  
15 requirements:

16 1. is 21 years of age or older;

17 2. currently holds a valid driver's license, which has  
18 not been revoked or suspended for one or more traffic  
19 violations during the 3 years immediately prior to the date  
20 of application;

21 3. demonstrates physical fitness to operate vehicles  
22 by submitting the results of a medical examination  
23 conducted by a licensed physician;

24 4. has not been convicted of more than 2 offenses  
25 against traffic regulations governing the movement of  
26 vehicles within a twelve month period;

27 5. has not been convicted of reckless driving or  
28 driving under the influence or manslaughter or reckless  
29 homicide resulting from the operation of a motor vehicle  
30 within the past 3 years;

31 6. has signed and submitted a written statement  
32 certifying that he has not, through the unlawful operation  
33 of a motor vehicle, caused an accident which resulted in  
34 the death of any person within the 5 years immediately

1 prior to the date of application.

2 However, such day care centers, group homes and child care  
3 institutions may provide for transportation of a child or  
4 children for special outings, functions or purposes that are  
5 not scheduled on a regular basis without verification that  
6 drivers for such purposes meet the requirements of this  
7 Section.

8 (a-5) As a means of ensuring compliance with the  
9 requirements set forth in subsection (a), the Department shall  
10 implement appropriate measures to verify that every individual  
11 who is subject to subsection (a) meets those requirements. In  
12 the case of an individual who becomes subject to subsection (a)  
13 for the first time after the effective date of this amendatory  
14 Act of the 94th General Assembly, the Department must make that  
15 verification before the individual operates a motor vehicle to  
16 transport a child or children under the circumstances described  
17 in subsection (a). In the case of an individual who is subject  
18 to subsection (a) on the effective date of this amendatory Act  
19 of the 94th General Assembly, the Department must make that  
20 verification within 30 days after that effective date. Upon the  
21 Department's request, the Secretary of State shall provide the  
22 Department with the information necessary to enable the  
23 Department to make the verifications required under this  
24 subsection. If the Department discovers that an individual  
25 fails to meet the requirements set forth in subsection (a), the  
26 Department shall promptly notify the appropriate day care  
27 center, group home, or child care institution.

28 (b) Any individual who holds a valid Illinois school bus  
29 driver permit issued by the Secretary of State pursuant to The  
30 Illinois Vehicle Code, and who is currently employed by a  
31 school district or parochial school, or by a contractor with a  
32 school district or parochial school, to drive a school bus  
33 transporting children to and from school, shall be deemed in  
34 compliance with the requirements of subsection (a).

35 (c) The Department may, pursuant to Section 8 of this Act,  
36 revoke the license of any day care center, group home or child

1 care institution that fails to meet the requirements of this  
2 Section.

3 (d) A day care center, group home, or child care  
4 institution that fails to meet the requirements of this Section  
5 is guilty of a petty offense and is subject to a fine of not  
6 more than \$1,000. Each day that a day care center, group home,  
7 or child care institution fails to meet the requirements of  
8 this Section is a separate offense.

9 (Source: P.A. 88-612, eff. 7-1-95.)