

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 Illinois Vehicle Code is amended by adding
5 Section 6-106c as follows:

6 (625 ILCS 5/6-106c new)

7 Sec. 6-106c. Reasonable suspicion alcohol testing.

8 (a) If an employer has reasonable suspicion to believe that
9 a school bus driver is under the influence of alcohol,
10 cannabis, any controlled substances listed in the Illinois
11 Controlled Substances Act, methamphetamine as listed in the
12 Methamphetamine Control and Community Protection Act, or any
13 intoxicating compound listed in the Use of Intoxicating
14 Compounds Act, the employer may require that the school bus
15 driver submit to an alcohol or drug test or both at a licensed
16 testing facility before the driver is allowed to drive a school
17 bus. The employer's determination that reasonable suspicion
18 exists to require the driver to submit to an alcohol or drug
19 test must be based on specific, contemporaneous, articulable
20 observations concerning the appearance, behavior, speech, or
21 body odors of the driver.

22 (b) Alcohol or drug testing is authorized by this Section
23 only if the observations required in subsection (a) of this

1 Section are made during, just preceding, or just after the time
2 the school bus driver was on duty.

3 (c) If the school bus driver refuses to submit to testing
4 or submits to a test that discloses an alcohol concentration of
5 more than 0.00, or any amount of cannabis, any controlled
6 substance listed in the Illinois Controlled Substances Act,
7 methamphetamine as listed in the Methamphetamine Control and
8 Community Protection Act, or any intoxicating compound listed
9 in the Use of Intoxicating Compounds Act, the employer shall
10 immediately notify the Secretary of State in a form and manner
11 designated by the Secretary of State.

12 (d) The Secretary of State shall cancel a school bus driver
13 permit upon receiving notice that the holder has refused to
14 submit to an alcohol or drug test or has submitted to a test
15 that discloses an alcohol concentration of more than 0.00, or
16 any amount of cannabis, any controlled substance listed in the
17 Illinois Controlled Substances Act, methamphetamine as listed
18 in the Methamphetamine Control and Community Protection Act, or
19 any intoxicating compound listed in the Use of Intoxicating
20 Compounds Act.

21 (e) A person whose privilege to possess a school bus permit
22 has been cancelled under subsection (d) of this Section shall
23 not be eligible for restoration of the privilege until the
24 expiration of 3 years from the effective date of the
25 cancellation.

26 (f) Within 24 hours of the observed behavior, a written

1 record in a form and manner designated by the Secretary shall
2 be made of the observations leading to an alcohol or other
3 drugs reasonable suspicion test and signed by the supervisor or
4 company official who made the observations. This written record
5 shall also be submitted to the Secretary of State within 48
6 hours of the observed behavior.