

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 changing
5 Sections 12-813.1 and 12-816 as follows:

6 (625 ILCS 5/12-813.1)

7 Sec. 12-813.1. School bus driver communication devices.

8 (a) In this Section:

9 "School bus driver" means a person operating a school bus
10 who has a valid school bus driver permit as required under
11 Sections 6-104 and 6-106.1 of this Code.

12 "Cellular radio telecommunication device" means a device
13 capable of sending or receiving telephone communications
14 without an access line for service and which requires the
15 operator to dial numbers manually. It does not, however,
16 include citizens band radios or citizens band radio hybrids.

17 "Possession of a school bus" means the period of time from
18 which a bus driver takes possession until the school bus driver
19 returns possession of the school bus, whether or not the school
20 bus driver is operating the school bus.

21 "Using a cellular radio telecommunication device" means
22 talking or listening to or dialing a cellular radio
23 telecommunication device.

1 To "operate" means to have the vehicle in motion while it
2 contains one or more passengers.

3 (b) A school bus driver may not operate a school bus while
4 using a cellular radio telecommunication device.

5 (c) Subsection (b) of this Section does not apply:

6 (1) To the use of a cellular radio telecommunication
7 device for the purpose of communicating with any of the
8 following regarding an emergency situation:

9 (A) an emergency response operator;

10 (B) a hospital;

11 (C) a physician's office or health clinic;

12 (D) an ambulance service;

13 (E) a fire department, fire district, or fire
14 company; or

15 (F) a police department.

16 (2) To the use of a cellular radio telecommunication
17 device to call for assistance in the event that there is a
18 mechanical breakdown or other mechanical problem that
19 impairs the safe operation of the bus or to communicate
20 with school authorities or their designees about any other
21 issue relating to the operation of the school bus or the
22 welfare and safety of any passenger thereon. In no case may
23 a cellular radio telecommunication device be used for
24 anything not provided for in this Section, including but
25 not limited to, personal use.

26 (3) (Blank). ~~To the use of a cellular radio~~

1 ~~telecommunication device that has a digital two-way radio~~
2 ~~service capability owned and operated by the school~~
3 ~~district, when that device is being used as a digital~~
4 ~~two-way radio.~~

5 (4) When the school bus is parked.

6 (d) A school bus driver who violates subsection (b) of this
7 Section is guilty of a petty offense punishable by a fine of
8 not less than \$100 and not more than \$250.

9 (e) A school bus must contain either an operating cellular
10 radio telecommunication device or two-way radio while the
11 school bus driver is in possession of a school bus. The
12 cellular radio telecommunication device or two-way radio in
13 this subsection must be turned on and adjusted in a manner that
14 would alert the school bus driver of an incoming communication
15 request.

16 (Source: P.A. 96-818, eff. 11-17-09.)

17 (625 ILCS 5/12-816)

18 Sec. 12-816. Pre and post-trip inspection policy for school
19 buses.

20 (a) In order to provide for the welfare and safety of
21 children who are transported on school buses throughout the
22 State of Illinois, each school district shall have in place, by
23 January 1, 2008, a policy to ensure that the school bus driver
24 is the last person leaving the bus and that no passenger is
25 left behind or remains on the vehicle at the end of a route, a

1 work shift, or the work day. This policy and procedure shall,
2 at a minimum, require the school bus driver (i) to test the
3 cellular radio telecommunication device or two-way radio and
4 ensure that it is functioning properly before the bus is
5 operated and (ii) before leaving the bus at the end of each
6 route, work shift, or work day, to walk to the rear of the bus
7 and check the bus for children or other passengers in the bus.

8 (b) If a school district has a contract with a private
9 sector school bus company for the transportation of the
10 district's students, the school district shall require in the
11 contract with the private sector company that the company have
12 a post-trip inspection policy in place. This policy and
13 procedure shall, at a minimum, require the school bus driver
14 (i) to test the cellular radio telecommunication device or
15 two-way radio and ensure that it is functioning properly before
16 the bus is operated and (ii) before leaving the bus at the end
17 of each route, work shift, or work day, to walk to the rear of
18 the bus and check the bus for children or other passengers in
19 the bus.

20 (c) Before this inspection, the school bus driver shall
21 activate the interior lights of the bus to assist the driver in
22 seeing in and under the seats during a visual sweep of the bus.

23 (d) This policy may include, at the discretion of the
24 school district, the installation of a mechanical or electronic
25 post-trip inspection reminder system which requires the school
26 bus driver to walk to the rear of the bus to deactivate the

1 system before the driver leaves the bus. The system shall
2 require that when the driver turns off the vehicle's ignition
3 system, the vehicle's interior lights must illuminate to assist
4 the driver in seeing in and under the seats during a visual
5 sweep of the bus.

6 (Source: P.A. 95-260, eff. 8-17-07; 96-818, eff. 11-17-09.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.