

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 Section 6-107.5 as follows:

6 (625 ILCS 5/6-107.5)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 Sec. 6-107.5. Adult Driver Education Course.

10 (a) The Secretary shall establish by rule the curriculum
11 and designate the materials to be used in an adult driver
12 education course. The course shall be at least 6 hours in
13 length and shall include instruction on traffic laws; highway
14 signs, signals, and markings that regulate, warn, or direct
15 traffic; and issues commonly associated with motor vehicle
16 accidents including poor decision-making, risk taking,
17 impaired driving, distraction, speed, failure to use a safety
18 belt, driving at night, failure to yield the right-of-way,
19 texting while driving, using wireless communication devices,
20 and alcohol and drug awareness. The curriculum shall not
21 require the operation of a motor vehicle.

22 (b) The Secretary shall certify course providers. The
23 requirements to be a certified course provider, the process for

1 applying for certification, and the procedure for decertifying
2 a course provider shall be established by rule.

3 (b-5) In order to qualify for certification as an adult
4 driver education course provider, each applicant must
5 authorize an investigation that includes a fingerprint-based
6 background check to determine if the applicant has ever been
7 convicted of a criminal offense and, if so, the disposition of
8 any conviction. This authorization shall indicate the scope of
9 the inquiry and the agencies that may be contacted. Upon
10 receiving this authorization, the Secretary of State may
11 request and receive information and assistance from any
12 federal, State, or local governmental agency as part of the
13 authorized investigation. Each applicant shall submit his or
14 her fingerprints to the Department of State Police in the form
15 and manner prescribed by the Department of State Police. These
16 fingerprints shall be checked against fingerprint records now
17 and hereafter filed in the Department of State Police and
18 Federal Bureau of Investigation criminal history record
19 databases. The Department of State Police shall charge
20 applicants a fee for conducting the criminal history record
21 check, which shall be deposited into the State Police Services
22 Fund and shall not exceed the actual cost of the State and
23 national criminal history record check. The Department of State
24 Police shall furnish, pursuant to positive identification,
25 records of Illinois criminal convictions to the Secretary and
26 shall forward the national criminal history record information

1 to the Secretary. Applicants shall pay any other
2 fingerprint-related fees. Unless otherwise prohibited by law,
3 the information derived from the investigation, including the
4 source of the information and any conclusions or
5 recommendations derived from the information by the Secretary
6 of State, shall be provided to the applicant upon request to
7 the Secretary of State prior to any final action by the
8 Secretary of State on the application. Any criminal conviction
9 information obtained by the Secretary of State shall be
10 confidential and may not be transmitted outside the Office of
11 the Secretary of State, except as required by this subsection
12 (b-5), and may not be transmitted to anyone within the Office
13 of the Secretary of State except as needed for the purpose of
14 evaluating the applicant. At any administrative hearing held
15 under Section 2-118 of this Code relating to the denial,
16 cancellation, suspension, or revocation of certification of an
17 adult driver education course provider, the Secretary of State
18 may utilize at that hearing any criminal history, criminal
19 conviction, and disposition information obtained under this
20 subsection (b-5). The information obtained from the
21 investigation may be maintained by the Secretary of State or
22 any agency to which the information was transmitted. Only
23 information and standards which bear a reasonable and rational
24 relation to the performance of providing adult driver education
25 shall be used by the Secretary of State. Any employee of the
26 Secretary of State who gives or causes to be given away any

1 confidential information concerning any criminal convictions
2 or disposition of criminal convictions of an applicant shall be
3 guilty of a Class A misdemeanor unless release of the
4 information is authorized by this Section.

5 (c) The Secretary may permit a course provider to offer the
6 course online, if the Secretary is satisfied the course
7 provider has established adequate procedures for verifying:

8 (1) the identity of the person taking the course
9 online; and

10 (2) the person completes the entire course.

11 (d) The Secretary shall establish a method of electronic
12 verification of a student's successful completion of the
13 course.

14 (e) The fee charged by the course provider must bear a
15 reasonable relationship to the cost of the course. The
16 Secretary shall post on the Secretary of State's website a list
17 of approved course providers, the fees charged by the
18 providers, and contact information for each provider.

19 (f) In addition to any other fee charged by the course
20 provider, the course provider shall collect a fee of \$5 from
21 each student to offset the costs incurred by the Secretary in
22 administering this program. The \$5 shall be submitted to the
23 Secretary within 14 days of the day on which it was collected.
24 All such fees received by the Secretary shall be deposited in
25 the Secretary of State Driver Services Administration Fund.

26 (Source: P.A. 98-167, eff. 7-1-14.)

1 Section 95. No acceleration or delay. Where this Act makes
2 changes in a statute that is represented in this Act by text
3 that is not yet or no longer in effect (for example, a Section
4 represented by multiple versions), the use of that text does
5 not accelerate or delay the taking effect of (i) the changes
6 made by this Act or (ii) provisions derived from any other
7 Public Act.