



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB2515

Introduced 2/18/2015, by Rep. Katherine Cloonen

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-124.3 new	
625 ILCS 5/1-124.5	
625 ILCS 5/3-818	from Ch. 95 1/2, par. 3-818
625 ILCS 5/6-500	from Ch. 95 1/2, par. 6-500
625 ILCS 5/6-507	from Ch. 95 1/2, par. 6-507
625 ILCS 5/6-508.1	

Amends the Illinois Vehicle Code. Defines "gross combination weight rating" (GCWR). Provides that the GCWR of the power unit will not be used to define a commercial motor vehicle when the power unit is not towing another vehicle. Makes conforming changes regarding the definition of GCWR. Provides for the collection of a \$10 surcharge for vehicles in the 12,000 lbs. and less flat weight plate category to identify those vehicles as covered farm vehicles. Makes it a serious traffic violation to drive a commercial motor vehicle on a highway with a commercial driver instruction permit, but unaccompanied by the holder of a valid commercial driver's license. Exempts persons operating a covered farm vehicle, as defined under the Illinois Vehicle Code, from requirement to have a commercial driver's license or requirement to submit a medical examiner's certificate for operation of a commercial motor vehicle in non-excepted interstate commerce. Effective July 1, 2015.

LRB099 08011 RJF 28152 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 1-124.5, 3-818, 6-500, 6-507, and 6-508.1 and by
6 adding Section 1-124.3 as follows:

7 (625 ILCS 5/1-124.3 new)

8 Sec. 1-124.3. Gross Combination Weight Rating (GCWR). GCWR
9 is the greater of:

10 (1) a value specified by the manufacturer of the power
11 unit, if such value is displayed on the Federal Motor
12 Vehicle Safety Standard (FMVSS) certification label
13 required by the National Highway Traffic Safety
14 Administration; or

15 (2) the sum of the gross vehicle weight ratings (GVWRs)
16 or the gross vehicle weights (GVWs) of the power unit and
17 the towed unit or units, or any combination thereof, that
18 produces the highest value. Exception: The GCWR of the
19 power unit will not be used to define a commercial motor
20 vehicle when the power unit is not towing another vehicle.

21 (625 ILCS 5/1-124.5)

22 Sec. 1-124.5. Gross Vehicle Weight Rating (GVWR). The value

1 specified by the manufacturer ~~or manufacturers~~ as the ~~maximum~~
2 loaded weight of a single vehicle. ~~The GVWR of a combination of~~
3 ~~vehicles (commonly referred to as the "Gross Combination Weight~~
4 ~~Rating" or GCWR) is the GVWR of the power unit plus the GVWR of~~
5 ~~the towed unit or units. In the absence of a value specified by~~
6 ~~the manufacturer, GCWR is determined by adding the GVWR of the~~
7 ~~power unit and the total weight of the towed unit and any load~~
8 ~~on the unit.~~

9 (Source: P.A. 90-89, eff. 1-1-98.)

10 (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

11 Sec. 3-818. (a) Mileage weight tax option. Any owner of a
12 vehicle of the second division may elect to pay a mileage
13 weight tax for such vehicle in lieu of the flat weight tax set
14 out in Section 3-815. Such election shall be binding to the end
15 of the registration year. Renewal of this election must be
16 filed with the Secretary of State on or before July 1 of each
17 registration period. In such event the owner shall, at the time
18 of making such election, pay the \$10 registration fee and the
19 minimum guaranteed mileage weight tax, as hereinafter
20 provided, which payment shall permit the owner to operate that
21 vehicle the maximum mileage in this State hereinafter set
22 forth. Any vehicle being operated on mileage plates cannot be
23 operated outside of this State. In addition thereto, the owner
24 of that vehicle shall pay a mileage weight tax at the following
25 rates for each mile traveled in this State in excess of the

1 maximum mileage provided under the minimum guaranteed basis:

2 BUS, TRUCK OR TRUCK TRACTOR

3				Maximum	Mileage
4			Minimum	Mileage	Weight Tax
5			Guaranteed	Permitted	for Mileage
6	Gross Weight		Mileage	Under	in excess of
7	Vehicle and		Weight	Guaranteed	Guaranteed
8	Load	Class	Tax	Tax	Mileage
9	12,000 lbs. or less	MD	\$73	5,000	26 Mills
10	12,001 to 16,000 lbs.	MF	120	6,000	34 Mills
11	16,001 to 20,000 lbs.	MG	180	6,000	46 Mills
12	20,001 to 24,000 lbs.	MH	235	6,000	63 Mills
13	24,001 to 28,000 lbs.	MJ	315	7,000	63 Mills
14	28,001 to 32,000 lbs.	MK	385	7,000	83 Mills
15	32,001 to 36,000 lbs.	ML	485	7,000	99 Mills
16	36,001 to 40,000 lbs.	MN	615	7,000	128 Mills
17	40,001 to 45,000 lbs.	MP	695	7,000	139 Mills
18	45,001 to 54,999 lbs.	MR	853	7,000	156 Mills
19	55,000 to 59,500 lbs.	MS	920	7,000	178 Mills
20	59,501 to 64,000 lbs.	MT	985	7,000	195 Mills
21	64,001 to 73,280 lbs.	MV	1,173	7,000	225 Mills
22	73,281 to 77,000 lbs.	MX	1,328	7,000	258 Mills
23	77,001 to 80,000 lbs.	MZ	1,415	7,000	275 Mills

24 TRAILER

25				Maximum	Mileage
26			Minimum	Mileage	Weight Tax

1		Guaranteed	Permitted	for Mileage
2	Gross Weight	Mileage	Under	in excess of
3	Vehicle and	Weight	Guaranteed	Guaranteed
4	Load	Class	Tax	Mileage
5	14,000 lbs. or less	ME	\$75	5,000 31 Mills
6	14,001 to 20,000 lbs.	MF	135	6,000 36 Mills
7	20,001 to 36,000 lbs.	ML	540	7,000 103 Mills
8	36,001 to 40,000 lbs.	MM	750	7,000 150 Mills

9 (a-1) A Special Hauling Vehicle is a vehicle or combination
 10 of vehicles of the second division registered under Section
 11 3-813 transporting asphalt or concrete in the plastic state or
 12 a vehicle or combination of vehicles that are subject to the
 13 gross weight limitations in subsection (a) of Section 15-111
 14 for which the owner of the vehicle or combination of vehicles
 15 has elected to pay, in addition to the registration fee in
 16 subsection (a), \$125 to the Secretary of State for each
 17 registration year. The Secretary shall designate this class of
 18 vehicle as a Special Hauling Vehicle.

19 In preparing rate schedules on registration applications,
 20 the Secretary of State shall add to the above rates, the \$10
 21 registration fee. The Secretary may decline to accept any
 22 renewal filed after July 1st.

23 The number of axles necessary to carry the maximum load
 24 provided shall be determined from Chapter 15 of this Code.

25 Every owner of a second division motor vehicle for which he
 26 has elected to pay a mileage weight tax shall keep a daily

1 record upon forms prescribed by the Secretary of State, showing
2 the mileage covered by that vehicle in this State. Such record
3 shall contain the license number of the vehicle and the miles
4 traveled by the vehicle in this State for each day of the
5 calendar month. Such owner shall also maintain records of fuel
6 consumed by each such motor vehicle and fuel purchases
7 therefor. On or before the 10th day of July the owner shall
8 certify to the Secretary of State upon forms prescribed
9 therefor, summaries of his daily records which shall show the
10 miles traveled by the vehicle in this State during the
11 preceding 12 months and such other information as the Secretary
12 of State may require. The daily record and fuel records shall
13 be filed, preserved and available for audit for a period of 3
14 years. Any owner filing a return hereunder shall certify that
15 such return is a true, correct and complete return. Any person
16 who willfully makes a false return hereunder is guilty of
17 perjury and shall be punished in the same manner and to the
18 same extent as is provided therefor.

19 At the time of filing his return, each owner shall pay to
20 the Secretary of State the proper amount of tax at the rate
21 herein imposed.

22 Every owner of a vehicle of the second division who elects
23 to pay on a mileage weight tax basis and who operates the
24 vehicle within this State, shall file with the Secretary of
25 State a bond in the amount of \$500. The bond shall be in a form
26 approved by the Secretary of State and with a surety company

1 approved by the Illinois Department of Insurance to transact
2 business in this State as surety, and shall be conditioned upon
3 such applicant's paying to the State of Illinois all money
4 becoming due by reason of the operation of the second division
5 vehicle in this State, together with all penalties and interest
6 thereon.

7 Upon notice from the Secretary that the registrant has
8 failed to pay the excess mileage fees, the surety shall
9 immediately pay the fees together with any penalties and
10 interest thereon in an amount not to exceed the limits of the
11 bond.

12 (b) Beginning January 1, 2016, upon the request of the
13 vehicle owner, a \$10 surcharge shall be collected in addition
14 to the above fees for vehicles in the 12,000 lbs. and less flat
15 weight plate category as described in subsection (a) to be
16 deposited into the Secretary of State Special License Plate
17 Fund. The \$10 surcharge is to identify vehicles in the 12,000
18 lbs. and less flat weight plate category as a covered farm
19 vehicle. The \$10 surcharge is an annual flat fee that shall be
20 based on an applicant's new or existing registration year for
21 each vehicle in the 12,000 lbs. and less flat weight plate
22 category. A designation as a covered farm vehicle under this
23 subsection (b) shall not alter a vehicle's registration as a
24 registration in the 12,000 lbs. or less flat weight category.
25 The Secretary shall adopt any rules necessary to implement this
26 subsection (b).

1 (Source: P.A. 97-201, eff. 1-1-12.)

2 (625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

3 (Text of Section before amendment by P.A. 98-176)

4 Sec. 6-500. Definitions of words and phrases.

5 Notwithstanding the definitions set forth elsewhere in this
6 Code, for purposes of the Uniform Commercial Driver's License
7 Act (UCDLA), the words and phrases listed below have the
8 meanings ascribed to them as follows:

9 (1) Alcohol. "Alcohol" means any substance containing any
10 form of alcohol, including but not limited to ethanol,
11 methanol, propanol, and isopropanol.

12 (2) Alcohol concentration. "Alcohol concentration" means:

13 (A) the number of grams of alcohol per 210 liters of
14 breath; or

15 (B) the number of grams of alcohol per 100 milliliters
16 of blood; or

17 (C) the number of grams of alcohol per 67 milliliters
18 of urine.

19 Alcohol tests administered within 2 hours of the driver
20 being "stopped or detained" shall be considered that driver's
21 "alcohol concentration" for the purposes of enforcing this
22 UCDLA.

23 (3) (Blank).

24 (4) (Blank).

25 (5) (Blank).

1 (5.3) CDLIS driver record. "CDLIS driver record" means the
2 electronic record of the individual CDL driver's status and
3 history stored by the State-of-Record as part of the Commercial
4 Driver's License Information System, or CDLIS, established
5 under 49 U.S.C. 31309.

6 (5.5) CDLIS motor vehicle record. "CDLIS motor vehicle
7 record" or "CDLIS MVR" means a report generated from the CDLIS
8 driver record meeting the requirements for access to CDLIS
9 information and provided by states to users authorized in 49
10 C.F.R. 384.225(e) (3) and (4), subject to the provisions of the
11 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

12 (5.7) Commercial driver's license downgrade. "Commercial
13 driver's license downgrade" or "CDL downgrade" means either:

14 (A) a state allows the driver to change his or her
15 self-certification to interstate, but operating
16 exclusively in transportation or operation excepted from
17 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f),
18 391.2, 391.68, or 398.3;

19 (B) a state allows the driver to change his or her
20 self-certification to intrastate only, if the driver
21 qualifies under that state's physical qualification
22 requirements for intrastate only;

23 (C) a state allows the driver to change his or her
24 certification to intrastate, but operating exclusively in
25 transportation or operations excepted from all or part of
26 the state driver qualification requirements; or

1 (D) a state removes the CDL privilege from the driver
2 license.

3 (6) Commercial Motor Vehicle.

4 (A) "Commercial motor vehicle" or "CMV" means a motor
5 vehicle used in commerce, except those referred to in
6 subdivision (B), designed to transport passengers or
7 property if:

8 (i) the vehicle has a GVWR of 26,001 pounds or more
9 or such a lesser GVWR as subsequently determined by
10 federal regulations or the Secretary of State; or any
11 combination of vehicles with a GCWR of 26,001 pounds or
12 more, provided the GVWR of any vehicle or vehicles
13 being towed is 10,001 pounds or more; or

14 (ii) the vehicle is designed to transport 16 or
15 more persons; or

16 (iii) the vehicle is transporting hazardous
17 materials and is required to be placarded in accordance
18 with 49 C.F.R. Part 172, subpart F.

19 (B) Pursuant to the interpretation of the Commercial
20 Motor Vehicle Safety Act of 1986 by the Federal Highway
21 Administration, the definition of "commercial motor
22 vehicle" does not include:

23 (i) recreational vehicles, when operated primarily
24 for personal use;

25 (ii) vehicles owned by or operated under the
26 direction of the United States Department of Defense or

1 the United States Coast Guard only when operated by
2 non-civilian personnel. This includes any operator on
3 active military duty; members of the Reserves;
4 National Guard; personnel on part-time training; and
5 National Guard military technicians (civilians who are
6 required to wear military uniforms and are subject to
7 the Code of Military Justice); or

8 (iii) firefighting, police, and other emergency
9 equipment (including, without limitation, equipment
10 owned or operated by a HazMat or technical rescue team
11 authorized by a county board under Section 5-1127 of
12 the Counties Code), with audible and visual signals,
13 owned or operated by or for a governmental entity,
14 which is necessary to the preservation of life or
15 property or the execution of emergency governmental
16 functions which are normally not subject to general
17 traffic rules and regulations.

18 (7) Controlled Substance. "Controlled substance" shall
19 have the same meaning as defined in Section 102 of the Illinois
20 Controlled Substances Act, and shall also include cannabis as
21 defined in Section 3 of the Cannabis Control Act and
22 methamphetamine as defined in Section 10 of the Methamphetamine
23 Control and Community Protection Act.

24 (8) Conviction. "Conviction" means an unvacated
25 adjudication of guilt or a determination that a person has
26 violated or failed to comply with the law in a court of

1 original jurisdiction or by an authorized administrative
2 tribunal; an unvacated forfeiture of bail or collateral
3 deposited to secure the person's appearance in court; a plea of
4 guilty or nolo contendere accepted by the court; the payment of
5 a fine or court cost regardless of whether the imposition of
6 sentence is deferred and ultimately a judgment dismissing the
7 underlying charge is entered; or a violation of a condition of
8 release without bail, regardless of whether or not the penalty
9 is rebated, suspended or probated.

10 (8.5) Day. "Day" means calendar day.

11 (9) (Blank).

12 (10) (Blank).

13 (11) (Blank).

14 (12) (Blank).

15 (13) Driver. "Driver" means any person who drives,
16 operates, or is in physical control of a commercial motor
17 vehicle, any person who is required to hold a CDL, or any
18 person who is a holder of a CDL while operating a
19 non-commercial motor vehicle.

20 (13.5) Driver applicant. "Driver applicant" means an
21 individual who applies to a state to obtain, transfer, upgrade,
22 or renew a CDL.

23 (13.8) Electronic device. "Electronic device" includes,
24 but is not limited to, a cellular telephone, personal digital
25 assistant, pager, computer, or any other device used to input,
26 write, send, receive, or read text.

1 (14) Employee. "Employee" means a person who is employed as
2 a commercial motor vehicle driver. A person who is
3 self-employed as a commercial motor vehicle driver must comply
4 with the requirements of this UCCLA pertaining to employees. An
5 owner-operator on a long-term lease shall be considered an
6 employee.

7 (15) Employer. "Employer" means a person (including the
8 United States, a State or a local authority) who owns or leases
9 a commercial motor vehicle or assigns employees to operate such
10 a vehicle. A person who is self-employed as a commercial motor
11 vehicle driver must comply with the requirements of this UCCLA.

12 (15.3) Excepted interstate. "Excepted interstate" means a
13 person who operates or expects to operate in interstate
14 commerce, but engages exclusively in transportation or
15 operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or
16 398.3 from all or part of the qualification requirements of 49
17 C.F.R. Part 391 and is not required to obtain a medical
18 examiner's certificate by 49 C.F.R. 391.45.

19 (15.5) Excepted intrastate. "Excepted intrastate" means a
20 person who operates in intrastate commerce but engages
21 exclusively in transportation or operations excepted from all
22 or parts of the state driver qualification requirements.

23 (16) (Blank).

24 (16.5) Fatality. "Fatality" means the death of a person as
25 a result of a motor vehicle accident.

26 (16.7) Foreign commercial driver. "Foreign commercial

1 driver" means a person licensed to operate a commercial motor
2 vehicle by an authority outside the United States, or a citizen
3 of a foreign country who operates a commercial motor vehicle in
4 the United States.

5 (17) Foreign jurisdiction. "Foreign jurisdiction" means a
6 sovereign jurisdiction that does not fall within the definition
7 of "State".

8 (18) (Blank).

9 (19) (Blank).

10 (20) Hazardous materials. "Hazardous Material" means any
11 material that has been designated under 49 U.S.C. 5103 and is
12 required to be placarded under subpart F of 49 C.F.R. part 172
13 or any quantity of a material listed as a select agent or toxin
14 in 42 C.F.R. part 73.

15 (20.5) Imminent Hazard. "Imminent hazard" means the
16 existence of any condition of a vehicle, employee, or
17 commercial motor vehicle operations that substantially
18 increases the likelihood of serious injury or death if not
19 discontinued immediately; or a condition relating to hazardous
20 material that presents a substantial likelihood that death,
21 serious illness, severe personal injury, or a substantial
22 endangerment to health, property, or the environment may occur
23 before the reasonably foreseeable completion date of a formal
24 proceeding begun to lessen the risk of that death, illness,
25 injury or endangerment.

26 (21) Long-term lease. "Long-term lease" means a lease of a

1 commercial motor vehicle by the owner-lessor to a lessee, for a
2 period of more than 29 days.

3 (21.1) Medical examiner. "Medical examiner" means an
4 individual certified by the Federal Motor Carrier Safety
5 Administration and listed on the National Registry of Certified
6 Medical Examiners in accordance with Federal Motor Carrier
7 Safety Regulations, 49 CFR 390.101 et seq.

8 (21.2) Medical examiner's certificate. "Medical examiner's
9 certificate" means a document prescribed or approved by the
10 Secretary of State that is issued by a medical examiner to a
11 driver to medically qualify him or her to drive.

12 (21.5) Medical variance. "Medical variance" means a driver
13 has received one of the following from the Federal Motor
14 Carrier Safety Administration which allows the driver to be
15 issued a medical certificate: (1) an exemption letter
16 permitting operation of a commercial motor vehicle pursuant to
17 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a
18 skill performance evaluation (SPE) certificate permitting
19 operation of a commercial motor vehicle pursuant to 49 C.F.R.
20 391.49.

21 (21.7) Mobile telephone. "Mobile telephone" means a mobile
22 communication device that falls under or uses any commercial
23 mobile radio service, as defined in regulations of the Federal
24 Communications Commission, 47 CFR 20.3. It does not include
25 two-way or citizens band radio services.

26 (22) Motor Vehicle. "Motor vehicle" means every vehicle

1 which is self-propelled, and every vehicle which is propelled
2 by electric power obtained from over head trolley wires but not
3 operated upon rails, except vehicles moved solely by human
4 power and motorized wheel chairs.

5 (22.2) Motor vehicle record. "Motor vehicle record" means a
6 report of the driving status and history of a driver generated
7 from the driver record provided to users, such as drivers or
8 employers, and is subject to the provisions of the Driver
9 Privacy Protection Act, 18 U.S.C. 2721-2725.

10 (22.5) Non-CMV. "Non-CMV" means a motor vehicle or
11 combination of motor vehicles not defined by the term
12 "commercial motor vehicle" or "CMV" in this Section.

13 (22.7) Non-excepted interstate. "Non-excepted interstate"
14 means a person who operates or expects to operate in interstate
15 commerce, is subject to and meets the qualification
16 requirements under 49 C.F.R. Part 391, and is required to
17 obtain a medical examiner's certificate by 49 C.F.R. 391.45.

18 (22.8) Non-excepted intrastate. "Non-excepted intrastate"
19 means a person who operates only in intrastate commerce and is
20 subject to State driver qualification requirements.

21 (23) Non-resident CDL. "Non-resident CDL" means a
22 commercial driver's license issued by a state under either of
23 the following two conditions:

24 (i) to an individual domiciled in a foreign country
25 meeting the requirements of Part 383.23(b)(1) of 49 C.F.R.
26 of the Federal Motor Carrier Safety Administration.

1 (ii) to an individual domiciled in another state
2 meeting the requirements of Part 383.23(b)(2) of 49 C.F.R.
3 of the Federal Motor Carrier Safety Administration.

4 (24) (Blank).

5 (25) (Blank).

6 (25.5) Railroad-Highway Grade Crossing Violation.
7 "Railroad-highway grade crossing violation" means a violation,
8 while operating a commercial motor vehicle, of any of the
9 following:

10 (A) Section 11-1201, 11-1202, or 11-1425 of this Code.

11 (B) Any other similar law or local ordinance of any
12 state relating to railroad-highway grade crossing.

13 (25.7) School Bus. "School bus" means a commercial motor
14 vehicle used to transport pre-primary, primary, or secondary
15 school students from home to school, from school to home, or to
16 and from school-sponsored events. "School bus" does not include
17 a bus used as a common carrier.

18 (26) Serious Traffic Violation. "Serious traffic
19 violation" means:

20 (A) a conviction when operating a commercial motor
21 vehicle, or when operating a non-CMV while holding a CDL,
22 of:

23 (i) a violation relating to excessive speeding,
24 involving a single speeding charge of 15 miles per hour
25 or more above the legal speed limit; or

26 (ii) a violation relating to reckless driving; or

1 (iii) a violation of any State law or local
2 ordinance relating to motor vehicle traffic control
3 (other than parking violations) arising in connection
4 with a fatal traffic accident; or

5 (iv) a violation of Section 6-501, relating to
6 having multiple driver's licenses; or

7 (v) a violation of paragraph (a) of Section 6-507,
8 relating to the requirement to have a valid CDL; or

9 (vi) a violation relating to improper or erratic
10 traffic lane changes; or

11 (vii) a violation relating to following another
12 vehicle too closely; or

13 (viii) a violation relating to texting while
14 driving; or

15 (ix) a violation relating to the use of a hand-held
16 mobile telephone while driving; or

17 (B) any other similar violation of a law or local
18 ordinance of any state relating to motor vehicle traffic
19 control, other than a parking violation, which the
20 Secretary of State determines by administrative rule to be
21 serious.

22 (27) State. "State" means a state of the United States, the
23 District of Columbia and any province or territory of Canada.

24 (28) (Blank).

25 (29) (Blank).

26 (30) (Blank).

1 (31) (Blank).

2 (32) Texting. "Texting" means manually entering
3 alphanumeric text into, or reading text from, an electronic
4 device.

5 (1) Texting includes, but is not limited to, short
6 message service, emailing, instant messaging, a command or
7 request to access a World Wide Web page, pressing more than
8 a single button to initiate or terminate a voice
9 communication using a mobile telephone, or engaging in any
10 other form of electronic text retrieval or entry for
11 present or future communication.

12 (2) Texting does not include:

13 (i) inputting, selecting, or reading information
14 on a global positioning system or navigation system; or

15 (ii) pressing a single button to initiate or
16 terminate a voice communication using a mobile
17 telephone; or

18 (iii) using a device capable of performing
19 multiple functions (for example, a fleet management
20 system, dispatching device, smart phone, citizens band
21 radio, or music player) for a purpose that is not
22 otherwise prohibited by Part 392 of the Federal Motor
23 Carrier Safety Regulations.

24 (33) Use a hand-held mobile telephone. "Use a hand-held
25 mobile telephone" means:

26 (1) using at least one hand to hold a mobile telephone

1 to conduct a voice communication;

2 (2) dialing or answering a mobile telephone by pressing
3 more than a single button; or

4 (3) reaching for a mobile telephone in a manner that
5 requires a driver to maneuver so that he or she is no
6 longer in a seated driving position, restrained by a seat
7 belt that is installed in accordance with 49 CFR 393.93 and
8 adjusted in accordance with the vehicle manufacturer's
9 instructions.

10 (Source: P.A. 97-208, eff. 1-1-12; 97-750, eff. 7-6-12; 97-829,
11 eff. 1-1-13; 98-463, eff. 8-16-13; 98-722, eff. 7-16-14.)

12 (Text of Section after amendment by P.A. 98-176)

13 Sec. 6-500. Definitions of words and phrases.
14 Notwithstanding the definitions set forth elsewhere in this
15 Code, for purposes of the Uniform Commercial Driver's License
16 Act (UCDLA), the words and phrases listed below have the
17 meanings ascribed to them as follows:

18 (1) Alcohol. "Alcohol" means any substance containing any
19 form of alcohol, including but not limited to ethanol,
20 methanol, propanol, and isopropanol.

21 (2) Alcohol concentration. "Alcohol concentration" means:

22 (A) the number of grams of alcohol per 210 liters of
23 breath; or

24 (B) the number of grams of alcohol per 100 milliliters
25 of blood; or

1 (C) the number of grams of alcohol per 67 milliliters
2 of urine.

3 Alcohol tests administered within 2 hours of the driver
4 being "stopped or detained" shall be considered that driver's
5 "alcohol concentration" for the purposes of enforcing this
6 UCDLA.

7 (3) (Blank).

8 (4) (Blank).

9 (5) (Blank).

10 (5.3) CDLIS driver record. "CDLIS driver record" means the
11 electronic record of the individual CDL driver's status and
12 history stored by the State-of-Record as part of the Commercial
13 Driver's License Information System, or CDLIS, established
14 under 49 U.S.C. 31309.

15 (5.5) CDLIS motor vehicle record. "CDLIS motor vehicle
16 record" or "CDLIS MVR" means a report generated from the CDLIS
17 driver record meeting the requirements for access to CDLIS
18 information and provided by states to users authorized in 49
19 C.F.R. 384.225(e) (3) and (4), subject to the provisions of the
20 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

21 (5.7) Commercial driver's license downgrade. "Commercial
22 driver's license downgrade" or "CDL downgrade" means either:

23 (A) a state allows the driver to change his or her
24 self-certification to interstate, but operating
25 exclusively in transportation or operation excepted from
26 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f),

1 391.2, 391.68, or 398.3;

2 (B) a state allows the driver to change his or her
3 self-certification to intrastate only, if the driver
4 qualifies under that state's physical qualification
5 requirements for intrastate only;

6 (C) a state allows the driver to change his or her
7 certification to intrastate, but operating exclusively in
8 transportation or operations excepted from all or part of
9 the state driver qualification requirements; or

10 (D) a state removes the CDL privilege from the driver
11 license.

12 (6) Commercial Motor Vehicle.

13 (A) "Commercial motor vehicle" or "CMV" means a motor
14 vehicle or combination of motor vehicles used in commerce,
15 except those referred to in subdivision (B), designed to
16 transport passengers or property if the motor vehicle:

17 (i) has a gross combination weight rating or gross
18 combination weight of 11,794 kilograms or more (26,001
19 pounds or more), whichever is greater, inclusive of any
20 towed unit with a gross vehicle weight rating or gross
21 vehicle weight of more than 4,536 kilograms (10,000
22 pounds), whichever is greater; or

23 (i-5) has a gross vehicle weight rating or gross
24 vehicle weight of 11,794 or more kilograms (26,001
25 pounds or more), whichever is greater; or

26 (ii) is designed to transport 16 or more persons,

1 including the driver; or

2 (iii) is of any size and is used in transporting
3 hazardous materials as defined in 49 C.F.R. 383.5.

4 (B) Pursuant to the interpretation of the Commercial
5 Motor Vehicle Safety Act of 1986 by the Federal Highway
6 Administration, the definition of "commercial motor
7 vehicle" does not include:

8 (i) recreational vehicles, when operated primarily
9 for personal use;

10 (ii) vehicles owned by or operated under the
11 direction of the United States Department of Defense or
12 the United States Coast Guard only when operated by
13 non-civilian personnel. This includes any operator on
14 active military duty; members of the Reserves;
15 National Guard; personnel on part-time training; and
16 National Guard military technicians (civilians who are
17 required to wear military uniforms and are subject to
18 the Code of Military Justice); or

19 (iii) firefighting, police, and other emergency
20 equipment (including, without limitation, equipment
21 owned or operated by a HazMat or technical rescue team
22 authorized by a county board under Section 5-1127 of
23 the Counties Code), with audible and visual signals,
24 owned or operated by or for a governmental entity,
25 which is necessary to the preservation of life or
26 property or the execution of emergency governmental

1 functions which are normally not subject to general
2 traffic rules and regulations.

3 (7) Controlled Substance. "Controlled substance" shall
4 have the same meaning as defined in Section 102 of the Illinois
5 Controlled Substances Act, and shall also include cannabis as
6 defined in Section 3 of the Cannabis Control Act and
7 methamphetamine as defined in Section 10 of the Methamphetamine
8 Control and Community Protection Act.

9 (8) Conviction. "Conviction" means an unvacated
10 adjudication of guilt or a determination that a person has
11 violated or failed to comply with the law in a court of
12 original jurisdiction or by an authorized administrative
13 tribunal; an unvacated forfeiture of bail or collateral
14 deposited to secure the person's appearance in court; a plea of
15 guilty or nolo contendere accepted by the court; the payment of
16 a fine or court cost regardless of whether the imposition of
17 sentence is deferred and ultimately a judgment dismissing the
18 underlying charge is entered; or a violation of a condition of
19 release without bail, regardless of whether or not the penalty
20 is rebated, suspended or probated.

21 (8.5) Day. "Day" means calendar day.

22 (9) (Blank).

23 (10) (Blank).

24 (11) (Blank).

25 (12) (Blank).

26 (13) Driver. "Driver" means any person who drives,

1 operates, or is in physical control of a commercial motor
2 vehicle, any person who is required to hold a CDL, or any
3 person who is a holder of a CDL while operating a
4 non-commercial motor vehicle.

5 (13.5) Driver applicant. "Driver applicant" means an
6 individual who applies to a state or other jurisdiction to
7 obtain, transfer, upgrade, or renew a CDL or to obtain or renew
8 a CLP.

9 (13.8) Electronic device. "Electronic device" includes,
10 but is not limited to, a cellular telephone, personal digital
11 assistant, pager, computer, or any other device used to input,
12 write, send, receive, or read text.

13 (14) Employee. "Employee" means a person who is employed as
14 a commercial motor vehicle driver. A person who is
15 self-employed as a commercial motor vehicle driver must comply
16 with the requirements of this UCCLA pertaining to employees. An
17 owner-operator on a long-term lease shall be considered an
18 employee.

19 (15) Employer. "Employer" means a person (including the
20 United States, a State or a local authority) who owns or leases
21 a commercial motor vehicle or assigns employees to operate such
22 a vehicle. A person who is self-employed as a commercial motor
23 vehicle driver must comply with the requirements of this UCCLA.

24 (15.1) Endorsement. "Endorsement" means an authorization
25 to an individual's CLP or CDL required to permit the individual
26 to operate certain types of commercial motor vehicles.

1 (15.3) Excepted interstate. "Excepted interstate" means a
2 person who operates or expects to operate in interstate
3 commerce, but engages exclusively in transportation or
4 operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or
5 398.3 from all or part of the qualification requirements of 49
6 C.F.R. Part 391 and is not required to obtain a medical
7 examiner's certificate by 49 C.F.R. 391.45.

8 (15.5) Excepted intrastate. "Excepted intrastate" means a
9 person who operates in intrastate commerce but engages
10 exclusively in transportation or operations excepted from all
11 or parts of the state driver qualification requirements.

12 (16) (Blank).

13 (16.5) Fatality. "Fatality" means the death of a person as
14 a result of a motor vehicle accident.

15 (16.7) Foreign commercial driver. "Foreign commercial
16 driver" means a person licensed to operate a commercial motor
17 vehicle by an authority outside the United States, or a citizen
18 of a foreign country who operates a commercial motor vehicle in
19 the United States.

20 (17) Foreign jurisdiction. "Foreign jurisdiction" means a
21 sovereign jurisdiction that does not fall within the definition
22 of "State".

23 (18) (Blank).

24 (19) (Blank).

25 (20) Hazardous materials. "Hazardous Material" means any
26 material that has been designated under 49 U.S.C. 5103 and is

1 required to be placarded under subpart F of 49 C.F.R. part 172
2 or any quantity of a material listed as a select agent or toxin
3 in 42 C.F.R. part 73.

4 (20.5) Imminent Hazard. "Imminent hazard" means the
5 existence of any condition of a vehicle, employee, or
6 commercial motor vehicle operations that substantially
7 increases the likelihood of serious injury or death if not
8 discontinued immediately; or a condition relating to hazardous
9 material that presents a substantial likelihood that death,
10 serious illness, severe personal injury, or a substantial
11 endangerment to health, property, or the environment may occur
12 before the reasonably foreseeable completion date of a formal
13 proceeding begun to lessen the risk of that death, illness,
14 injury or endangerment.

15 (20.6) Issuance. "Issuance" means initial issuance,
16 transfer, renewal, or upgrade of a CLP or CDL and non-domiciled
17 CLP or CDL.

18 (20.7) Issue. "Issue" means initial issuance, transfer,
19 renewal, or upgrade of a CLP or CDL and non-domiciled CLP or
20 non-domiciled CDL.

21 (21) Long-term lease. "Long-term lease" means a lease of a
22 commercial motor vehicle by the owner-lessor to a lessee, for a
23 period of more than 29 days.

24 (21.01) Manual transmission. "Manual transmission" means a
25 transmission utilizing a driver-operated clutch that is
26 activated by a pedal or lever and a gear-shift mechanism

1 operated either by hand or foot including those known as a
2 stick shift, stick, straight drive, or standard transmission.
3 All other transmissions, whether semi-automatic or automatic,
4 shall be considered automatic for the purposes of the
5 standardized restriction code.

6 (21.1) Medical examiner. "Medical examiner" means an
7 individual certified by the Federal Motor Carrier Safety
8 Administration and listed on the National Registry of Certified
9 Medical Examiners in accordance with Federal Motor Carrier
10 Safety Regulations, 49 CFR 390.101 et seq.

11 (21.2) Medical examiner's certificate. "Medical examiner's
12 certificate" means a document prescribed or approved by the
13 Secretary of State that is issued by a medical examiner to a
14 driver to medically qualify him or her to drive.

15 (21.5) Medical variance. "Medical variance" means a driver
16 has received one of the following from the Federal Motor
17 Carrier Safety Administration which allows the driver to be
18 issued a medical certificate: (1) an exemption letter
19 permitting operation of a commercial motor vehicle pursuant to
20 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a
21 skill performance evaluation (SPE) certificate permitting
22 operation of a commercial motor vehicle pursuant to 49 C.F.R.
23 391.49.

24 (21.7) Mobile telephone. "Mobile telephone" means a mobile
25 communication device that falls under or uses any commercial
26 mobile radio service, as defined in regulations of the Federal

1 Communications Commission, 47 CFR 20.3. It does not include
2 two-way or citizens band radio services.

3 (22) Motor Vehicle. "Motor vehicle" means every vehicle
4 which is self-propelled, and every vehicle which is propelled
5 by electric power obtained from over head trolley wires but not
6 operated upon rails, except vehicles moved solely by human
7 power and motorized wheel chairs.

8 (22.2) Motor vehicle record. "Motor vehicle record" means a
9 report of the driving status and history of a driver generated
10 from the driver record provided to users, such as drivers or
11 employers, and is subject to the provisions of the Driver
12 Privacy Protection Act, 18 U.S.C. 2721-2725.

13 (22.5) Non-CMV. "Non-CMV" means a motor vehicle or
14 combination of motor vehicles not defined by the term
15 "commercial motor vehicle" or "CMV" in this Section.

16 (22.7) Non-excepted interstate. "Non-excepted interstate"
17 means a person who operates or expects to operate in interstate
18 commerce, is subject to and meets the qualification
19 requirements under 49 C.F.R. Part 391, and is required to
20 obtain a medical examiner's certificate by 49 C.F.R. 391.45.

21 (22.8) Non-excepted intrastate. "Non-excepted intrastate"
22 means a person who operates only in intrastate commerce and is
23 subject to State driver qualification requirements.

24 (23) Non-domiciled CLP or Non-domiciled CDL.
25 "Non-domiciled CLP" or "Non-domiciled CDL" means a CLP or CDL,
26 respectively, issued by a state or other jurisdiction under

1 either of the following two conditions:

2 (i) to an individual domiciled in a foreign country
3 meeting the requirements of Part 383.23(b)(1) of 49 C.F.R.
4 of the Federal Motor Carrier Safety Administration.

5 (ii) to an individual domiciled in another state
6 meeting the requirements of Part 383.23(b)(2) of 49 C.F.R.
7 of the Federal Motor Carrier Safety Administration.

8 (24) (Blank).

9 (25) (Blank).

10 (25.5) Railroad-Highway Grade Crossing Violation.

11 "Railroad-highway grade crossing violation" means a violation,
12 while operating a commercial motor vehicle, of any of the
13 following:

14 (A) Section 11-1201, 11-1202, or 11-1425 of this Code.

15 (B) Any other similar law or local ordinance of any
16 state relating to railroad-highway grade crossing.

17 (25.7) School Bus. "School bus" means a commercial motor
18 vehicle used to transport pre-primary, primary, or secondary
19 school students from home to school, from school to home, or to
20 and from school-sponsored events. "School bus" does not include
21 a bus used as a common carrier.

22 (26) Serious Traffic Violation. "Serious traffic
23 violation" means:

24 (A) a conviction when operating a commercial motor
25 vehicle, or when operating a non-CMV while holding a CLP or
26 CDL, of:

1 (i) a violation relating to excessive speeding,
2 involving a single speeding charge of 15 miles per hour
3 or more above the legal speed limit; or

4 (ii) a violation relating to reckless driving; or

5 (iii) a violation of any State law or local
6 ordinance relating to motor vehicle traffic control
7 (other than parking violations) arising in connection
8 with a fatal traffic accident; or

9 (iv) a violation of Section 6-501, relating to
10 having multiple driver's licenses; or

11 (v) a violation of paragraph (a) of Section 6-507,
12 relating to the requirement to have a valid CLP or CDL;
13 or

14 (vi) a violation relating to improper or erratic
15 traffic lane changes; or

16 (vii) a violation relating to following another
17 vehicle too closely; or

18 (viii) a violation relating to texting while
19 driving; or

20 (ix) a violation relating to the use of a hand-held
21 mobile telephone while driving; or

22 (B) any other similar violation of a law or local
23 ordinance of any state relating to motor vehicle traffic
24 control, other than a parking violation, which the
25 Secretary of State determines by administrative rule to be
26 serious.

1 (27) State. "State" means a state of the United States, the
2 District of Columbia and any province or territory of Canada.

3 (28) (Blank).

4 (29) (Blank).

5 (30) (Blank).

6 (31) (Blank).

7 (32) Texting. "Texting" means manually entering
8 alphanumeric text into, or reading text from, an electronic
9 device.

10 (1) Texting includes, but is not limited to, short
11 message service, emailing, instant messaging, a command or
12 request to access a World Wide Web page, pressing more than
13 a single button to initiate or terminate a voice
14 communication using a mobile telephone, or engaging in any
15 other form of electronic text retrieval or entry for
16 present or future communication.

17 (2) Texting does not include:

18 (i) inputting, selecting, or reading information
19 on a global positioning system or navigation system; or

20 (ii) pressing a single button to initiate or
21 terminate a voice communication using a mobile
22 telephone; or

23 (iii) using a device capable of performing
24 multiple functions (for example, a fleet management
25 system, dispatching device, smart phone, citizens band
26 radio, or music player) for a purpose that is not

1 otherwise prohibited by Part 392 of the Federal Motor
2 Carrier Safety Regulations.

3 (32.3) Third party skills test examiner. "Third party
4 skills test examiner" means a person employed by a third party
5 tester who is authorized by the State to administer the CDL
6 skills tests specified in 49 C.F.R. Part 383, subparts G and H.

7 (32.5) Third party tester. "Third party tester" means a
8 person (including, but not limited to, another state, a motor
9 carrier, a private driver training facility or other private
10 institution, or a department, agency, or instrumentality of a
11 local government) authorized by the State to employ skills test
12 examiners to administer the CDL skills tests specified in 49
13 C.F.R. Part 383, subparts G and H.

14 (32.7) United States. "United States" means the 50 states
15 and the District of Columbia.

16 (33) Use a hand-held mobile telephone. "Use a hand-held
17 mobile telephone" means:

18 (1) using at least one hand to hold a mobile telephone
19 to conduct a voice communication;

20 (2) dialing or answering a mobile telephone by pressing
21 more than a single button; or

22 (3) reaching for a mobile telephone in a manner that
23 requires a driver to maneuver so that he or she is no
24 longer in a seated driving position, restrained by a seat
25 belt that is installed in accordance with 49 CFR 393.93 and
26 adjusted in accordance with the vehicle manufacturer's

1 instructions.

2 (Source: P.A. 97-208, eff. 1-1-12; 97-750, eff. 7-6-12; 97-829,
3 eff. 1-1-13; 98-176, eff. 7-8-15 (see Section 10 of P.A. 98-722
4 for the effective date of changes made by P.A. 98-176); 98-463,
5 eff. 8-16-13; 98-722, eff. 7-16-14.)

6 (625 ILCS 5/6-507) (from Ch. 95 1/2, par. 6-507)

7 (Text of Section before amendment by P.A. 98-176)

8 Sec. 6-507. Commercial Driver's License (CDL) Required.

9 (a) Except as expressly permitted by this UCDLA, or when
10 driving pursuant to the issuance of a commercial driver
11 instruction permit and accompanied by the holder of a CDL valid
12 for the vehicle being driven; no person shall drive a
13 commercial motor vehicle on the highways without:

14 (1) a CDL in the driver's possession;

15 (2) having obtained a CDL;

16 (3) the proper class of CDL or endorsements or both for
17 the specific vehicle group being operated or for the
18 passengers or type of cargo being transported; or

19 (4) a copy of a medical variance document, if one
20 exists, such as an exemption letter or a skill performance
21 evaluation certificate.

22 (b) Except as otherwise provided by this Code, no person
23 may drive a commercial motor vehicle on the highways while such
24 person's driving privilege, license, or permit is:

25 (1) Suspended, revoked, cancelled, or subject to

1 disqualification. Any person convicted of violating this
2 provision or a similar provision of this or any other state
3 shall have their driving privileges revoked under
4 paragraph 12 of subsection (a) of Section 6-205 of this
5 Code.

6 (2) Subject to or in violation of an "out-of-service"
7 order. Any person who has been issued a CDL and is
8 convicted of violating this provision or a similar
9 provision of any other state shall be disqualified from
10 operating a commercial motor vehicle under subsection (i)
11 of Section 6-514 of this Code.

12 (3) Subject to or in violation of a driver or vehicle
13 "out of service" order while operating a vehicle designed
14 to transport 16 or more passengers, including the driver,
15 or transporting hazardous materials required to be
16 placarded. Any person who has been issued a CDL and is
17 convicted of violating this provision or a similar
18 provision of this or any other state shall be disqualified
19 from operating a commercial motor vehicle under subsection
20 (i) of Section 6-514 of this Code.

21 (b-3) Except as otherwise provided by this Code, no person
22 may drive a commercial motor vehicle on the highways during a
23 period which the commercial motor vehicle or the motor carrier
24 operation is subject to an "out-of-service" order. Any person
25 who is convicted of violating this provision or a similar
26 provision of any other state shall be disqualified from

1 operating a commercial motor vehicle under subsection (i) of
2 Section 6-514 of this Code.

3 (b-5) Except as otherwise provided by this Code, no person
4 may operate a vehicle designed to transport 16 or more
5 passengers including the driver or hazardous materials of a
6 type or quantity that requires the vehicle to be placarded
7 during a period in which the commercial motor vehicle or the
8 motor carrier operation is subject to an "out-of-service"
9 order. Any person who is convicted of violating this provision
10 or a similar provision of any other state shall be disqualified
11 from operating a commercial motor vehicle under subsection (i)
12 of Section 6-514 of this Code.

13 (c) Pursuant to the options provided to the States by FHWA
14 Docket No. MC-88-8, the driver of any motor vehicle controlled
15 or operated by or for a farmer is waived from the requirements
16 of this Section, when such motor vehicle is being used to
17 transport: agricultural products; implements of husbandry; or
18 farm supplies; to and from a farm, as long as such movement is
19 not over 150 air miles from the originating farm. This waiver
20 does not apply to the driver of any motor vehicle being used in
21 a common or contract carrier type operation. However, for those
22 drivers of any truck-tractor semitrailer combination or
23 combinations registered under subsection (c) of Section 3-815
24 of this Code, this waiver shall apply only when the driver is a
25 farmer or a member of the farmer's family and the driver is 21
26 years of age or more and has successfully completed any tests

1 the Secretary of State deems necessary.

2 In addition, the farmer or a member of the farmer's family
3 who operates a truck-tractor semitrailer combination or
4 combinations pursuant to this waiver shall be granted all of
5 the rights and shall be subject to all of the duties and
6 restrictions with respect to Sections 6-514 and 6-515 of this
7 Code applicable to the driver who possesses a commercial
8 driver's license issued under this Code, except that the driver
9 shall not be subject to any additional duties or restrictions
10 contained in Part 382 of the Federal Motor Carrier Safety
11 Regulations that are not otherwise imposed under Section 6-514
12 or 6-515 of this Code.

13 For purposes of this subsection (c), a member of the
14 farmer's family is a natural or in-law spouse, child, parent,
15 or sibling.

16 (c-5) An employee of a township or road district with a
17 population of less than 3,000 operating a vehicle within the
18 boundaries of the township or road district for the purpose of
19 removing snow or ice from a roadway by plowing, sanding, or
20 salting is waived from the requirements of this Section when
21 the employee is needed to operate the vehicle because the
22 employee of the township or road district who ordinarily
23 operates the vehicle and who has a commercial driver's license
24 is unable to operate the vehicle or is in need of additional
25 assistance due to a snow emergency.

26 (c-10) A driver of a commercial motor vehicle used

1 primarily in the transportation of propane winter heating fuel
2 or a driver of a motor vehicle used to respond to a pipeline
3 emergency is waived from the requirements of this Section if
4 such requirements would prevent the driver from responding to
5 an emergency condition requiring immediate response as defined
6 in 49 C.F.R. Part 390.5.

7 (d) Any person convicted of violating this Section, shall
8 be guilty of a Class A misdemeanor.

9 (e) Any person convicted of violating paragraph (1) of
10 subsection (b) of this Section, shall have all driving
11 privileges revoked by the Secretary of State.

12 (f) This Section shall not apply to:

13 (1) A person who currently holds a valid Illinois
14 driver's license, for the type of vehicle being operated,
15 until the expiration of such license or April 1, 1992,
16 whichever is earlier; or

17 (2) A non-Illinois domiciliary who is properly
18 licensed in another State, until April 1, 1992. A
19 non-Illinois domiciliary, if such domiciliary is properly
20 licensed in another State or foreign jurisdiction, until
21 April 1, 1992.

22 (Source: P.A. 96-544, eff. 1-1-10; 97-208, eff. 1-1-12; 97-229,
23 eff. 7-28-11; 97-813, eff. 7-13-12.)

24 (Text of Section after amendment by P.A. 98-176)

25 Sec. 6-507. Commercial Driver's License (CDL) or

1 Commercial Learner's Permit (CLP) Required.

2 (a) Except as expressly permitted by this UCDLA, or when
3 driving pursuant to the issuance of a commercial learner's
4 permit and accompanied by the holder of a CDL valid for the
5 vehicle being driven; no person shall drive a commercial motor
6 vehicle on the highways without:

7 (1) a CDL in the driver's possession;

8 (2) having obtained a CLP or CDL;

9 (3) the proper class of CLP or CDL or endorsements or
10 both for the specific vehicle group being operated or for
11 the passengers or type of cargo being transported; or

12 (4) a copy of a medical variance document, if one
13 exists, such as an exemption letter or a skill performance
14 evaluation certificate.

15 (a-5) A CLP or CDL holder whose CLP or CDL is held by this
16 State or any other state in the course of enforcement of a
17 motor vehicle traffic code and who has not been convicted of a
18 disqualifying offense under 49 C.F.R. 383.51 based on this
19 enforcement, may drive a CMV while holding a dated receipt for
20 the CLP or CDL.

21 (b) Except as otherwise provided by this Code, no person
22 may drive a commercial motor vehicle on the highways while such
23 person's driving privilege, license, or permit is:

24 (1) Suspended, revoked, cancelled, or subject to
25 disqualification. Any person convicted of violating this
26 provision or a similar provision of this or any other state

1 shall have their driving privileges revoked under
2 paragraph 12 of subsection (a) of Section 6-205 of this
3 Code.

4 (2) Subject to or in violation of an "out-of-service"
5 order. Any person who has been issued a CLP or CDL and is
6 convicted of violating this provision or a similar
7 provision of any other state shall be disqualified from
8 operating a commercial motor vehicle under subsection (i)
9 of Section 6-514 of this Code.

10 (3) Subject to or in violation of a driver or vehicle
11 "out of service" order while operating a vehicle designed
12 to transport 16 or more passengers, including the driver,
13 or transporting hazardous materials required to be
14 placarded. Any person who has been issued a CLP or CDL and
15 is convicted of violating this provision or a similar
16 provision of this or any other state shall be disqualified
17 from operating a commercial motor vehicle under subsection
18 (i) of Section 6-514 of this Code.

19 (b-3) Except as otherwise provided by this Code, no person
20 may drive a commercial motor vehicle on the highways during a
21 period which the commercial motor vehicle or the motor carrier
22 operation is subject to an "out-of-service" order. Any person
23 who is convicted of violating this provision or a similar
24 provision of any other state shall be disqualified from
25 operating a commercial motor vehicle under subsection (i) of
26 Section 6-514 of this Code.

1 (b-5) Except as otherwise provided by this Code, no person
2 may operate a vehicle designed to transport 16 or more
3 passengers including the driver or hazardous materials of a
4 type or quantity that requires the vehicle to be placarded
5 during a period in which the commercial motor vehicle or the
6 motor carrier operation is subject to an "out-of-service"
7 order. Any person who is convicted of violating this provision
8 or a similar provision of any other state shall be disqualified
9 from operating a commercial motor vehicle under subsection (i)
10 of Section 6-514 of this Code.

11 (c) Pursuant to the options provided to the States by FHWA
12 Docket No. MC-88-8, the driver of any motor vehicle controlled
13 or operated by or for a farmer is waived from the requirements
14 of this Section, when such motor vehicle is being used to
15 transport: agricultural products; implements of husbandry; or
16 farm supplies; to and from a farm, as long as such movement is
17 not over 150 air miles from the originating farm. This waiver
18 does not apply to the driver of any motor vehicle being used in
19 a common or contract carrier type operation. However, for those
20 drivers of any truck-tractor semitrailer combination or
21 combinations registered under subsection (c) of Section 3-815
22 of this Code, this waiver shall apply only when the driver is a
23 farmer or a member of the farmer's family and the driver is 21
24 years of age or more and has successfully completed any tests
25 the Secretary of State deems necessary.

26 In addition, the farmer or a member of the farmer's family

1 who operates a truck-tractor semitrailer combination or
2 combinations pursuant to this waiver shall be granted all of
3 the rights and shall be subject to all of the duties and
4 restrictions with respect to Sections 6-514 and 6-515 of this
5 Code applicable to the driver who possesses a commercial
6 driver's license issued under this Code, except that the driver
7 shall not be subject to any additional duties or restrictions
8 contained in Part 382 of the Federal Motor Carrier Safety
9 Regulations that are not otherwise imposed under Section 6-514
10 or 6-515 of this Code.

11 For purposes of this subsection (c), a member of the
12 farmer's family is a natural or in-law spouse, child, parent,
13 or sibling.

14 As required under the Code of Federal Regulations 49 CFR
15 390.39, an operator of a covered farm vehicle, as defined under
16 Section 18b-101 of this Code, is exempt from the requirements
17 of this Section.

18 (c-5) An employee of a township or road district with a
19 population of less than 3,000 operating a vehicle within the
20 boundaries of the township or road district for the purpose of
21 removing snow or ice from a roadway by plowing, sanding, or
22 salting is waived from the requirements of this Section when
23 the employee is needed to operate the vehicle because the
24 employee of the township or road district who ordinarily
25 operates the vehicle and who has a commercial driver's license
26 is unable to operate the vehicle or is in need of additional

1 assistance due to a snow emergency.

2 (c-10) A driver of a commercial motor vehicle used
3 primarily in the transportation of propane winter heating fuel
4 or a driver of a motor vehicle used to respond to a pipeline
5 emergency is waived from the requirements of this Section if
6 such requirements would prevent the driver from responding to
7 an emergency condition requiring immediate response as defined
8 in 49 C.F.R. Part 390.5.

9 (d) Any person convicted of violating this Section, shall
10 be guilty of a Class A misdemeanor.

11 (e) Any person convicted of violating paragraph (1) of
12 subsection (b) of this Section, shall have all driving
13 privileges revoked by the Secretary of State.

14 (f) This Section shall not apply to:

15 (1) A person who currently holds a valid Illinois
16 driver's license, for the type of vehicle being operated,
17 until the expiration of such license or April 1, 1992,
18 whichever is earlier; or

19 (2) A non-Illinois domiciliary who is properly
20 licensed in another State, until April 1, 1992. A
21 non-Illinois domiciliary, if such domiciliary is properly
22 licensed in another State or foreign jurisdiction, until
23 April 1, 1992.

24 (Source: P.A. 97-208, eff. 1-1-12; 97-229, eff. 7-28-11;
25 97-813, eff. 7-13-12; 98-176, eff. 7-8-15 (see Section 10 of
26 P.A. 98-722 for the effective date of changes made by P.A.

1 98-176).)

2 (625 ILCS 5/6-508.1)

3 (Text of Section before amendment by P.A. 98-176)

4 Sec. 6-508.1. Medical Examiner's Certificate.

5 (a) It shall be unlawful for any person to drive a CMV in
6 non-excepted interstate commerce unless the person holds a CDL
7 and is medically certified as physically qualified to do so.

8 (b) No person who has certified to non-excepted interstate
9 driving as provided in Section 6-508 of this Code shall be
10 issued a commercial driver instruction permit or CDL unless
11 that person presents to the Secretary a medical examiner's
12 certificate or has a current medical examiner's certificate on
13 the CDLIS driver record.

14 (c) Persons who hold a commercial driver instruction permit
15 or CDL on January 30, 2012 who have certified as non-excepted
16 interstate as provided in Section 6-508 of this Code must
17 provide to the Secretary a medical examiner's certificate no
18 later than January 30, 2014.

19 (d) As of January 30, 2014, all persons who hold a
20 commercial driver instruction permit or CDL who have certified
21 as non-excepted interstate shall maintain a current medical
22 examiner's certificate on file with the Secretary.

23 (e) Within 10 calendar days of receipt of a medical
24 examiner's certificate of a driver who has certified as
25 non-excepted interstate, the Secretary shall post the

1 following to the CDLIS driver record:

2 (1) the medical examiner's name;

3 (2) the medical examiner's telephone number;

4 (3) the date of issuance of the medical examiner's
5 certificate;

6 (4) the medical examiner's license number and the state
7 that issued it;

8 (5) the medical certification status;

9 (6) the expiration date of the medical examiner's
10 certificate;

11 (7) the existence of any medical variance on the
12 medical examiner's certificate or grandfather provisions;

13 (8) any restrictions noted on the medical examiner's
14 certificate; and

15 (9) the date the medical examiner's certificate
16 information was posted to the CDLIS driver record.

17 (f) Within 10 calendar days of the expiration or rescission
18 of the driver's medical examiner's certificate or medical
19 variance or both, the Secretary shall update the medical
20 certification status to "not certified".

21 (g) Within 10 calendar days of receipt of information from
22 the Federal Motor Carrier Safety Administration regarding
23 issuance or renewal of a medical variance, the Secretary shall
24 update the CDLIS driver record to include the medical variance
25 information provided by the Federal Motor Carrier Safety
26 Administration.

1 (h) The Secretary shall notify the driver of his or her
2 non-certified status and that his or her CDL will be canceled
3 unless the driver submits a current medical examiner's
4 certificate or medical variance or changes his or her
5 self-certification to driving only in excepted or intrastate
6 commerce.

7 (i) Within 60 calendar days of a driver's medical
8 certification status becoming non-certified, the Secretary
9 shall cancel the CDL.

10 (Source: P.A. 97-208, eff. 1-1-12.)

11 (Text of Section after amendment by P.A. 98-176)

12 Sec. 6-508.1. Medical Examiner's Certificate.

13 (a) It shall be unlawful for any person to drive a CMV in
14 non-excepted interstate commerce unless the person holds a CLP
15 or CDL and is medically certified as physically qualified to do
16 so.

17 (b) No person who has certified to non-excepted interstate
18 driving as provided in Sections 6-507.5 and 6-508 of this Code
19 shall be issued a commercial learner's permit or CDL unless
20 that person presents to the Secretary a medical examiner's
21 certificate or has a current medical examiner's certificate on
22 the CDLIS driver record.

23 (c) Persons who hold a commercial driver instruction permit
24 or CDL on January 30, 2012 who have certified as non-excepted
25 interstate as provided in Section 6-508 of this Code must

1 provide to the Secretary a medical examiner's certificate no
2 later than January 30, 2014.

3 (d) On and after January 30, 2014, all persons who hold a
4 commercial driver instruction permit or CDL who have certified
5 as non-excepted interstate shall maintain a current medical
6 examiner's certificate on file with the Secretary. On and after
7 July 1, 2014, all persons issued a CLP who have certified as
8 non-excepted interstate shall maintain a current medical
9 examiner's certificate on file with the Secretary.

10 (e) Within 10 calendar days of receipt of a medical
11 examiner's certificate of a driver who has certified as
12 non-excepted interstate, the Secretary shall post the
13 following to the CDLIS driver record:

- 14 (1) the medical examiner's name;
- 15 (2) the medical examiner's telephone number;
- 16 (3) the date of issuance of the medical examiner's
17 certificate;
- 18 (4) the medical examiner's license number and the state
19 that issued it;
- 20 (5) the medical certification status;
- 21 (6) the expiration date of the medical examiner's
22 certificate;
- 23 (7) the existence of any medical variance on the
24 medical examiner's certificate or grandfather provisions;
- 25 (8) any restrictions noted on the medical examiner's
26 certificate; and

1 (9) the date the medical examiner's certificate
2 information was posted to the CDLIS driver record.

3 (f) Within 10 calendar days of the expiration or rescission
4 of the driver's medical examiner's certificate or medical
5 variance or both, the Secretary shall update the medical
6 certification status to "not certified".

7 (g) Within 10 calendar days of receipt of information from
8 the Federal Motor Carrier Safety Administration regarding
9 issuance or renewal of a medical variance, the Secretary shall
10 update the CDLIS driver record to include the medical variance
11 information provided by the Federal Motor Carrier Safety
12 Administration.

13 (h) The Secretary shall notify the driver of his or her
14 non-certified status and that his or her CDL will be canceled
15 unless the driver submits a current medical examiner's
16 certificate or medical variance or changes his or her
17 self-certification to driving only in excepted or intrastate
18 commerce.

19 (i) Within 60 calendar days of a driver's medical
20 certification status becoming non-certified, the Secretary
21 shall cancel the CDL.

22 (j) As required under the Code of Federal Regulations 49
23 CFR 390.39, an operator of a covered farm vehicle, as defined
24 under Section 18b-101 of this Code, is exempt from the
25 requirements of this Section.

26 (Source: P.A. 97-208, eff. 1-1-12; 98-176, eff. 7-8-15 (see

1 Section 10 of P.A. 98-722 for the effective date of changes
2 made by P.A. 98-176).)

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

10 Section 999. Effective date. This Act takes effect July 1,
11 2015.