

# HB5247



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5247

by Rep. Michael J. Madigan

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/3-14.23

from Ch. 122, par. 3-14.23

Amends the School Code. Makes a technical change in a Section concerning school bus driver permits.

LRB099 17363 NHT 41721 b

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 3-14.23 as follows:

6 (105 ILCS 5/3-14.23) (from Ch. 122, par. 3-14.23)

7 Sec. 3-14.23. School bus driver permits.

8 (a) To conduct courses of instruction for school bus  
9 drivers pursuant to the ~~the~~ standards established by the  
10 Secretary of State under Section 6-106.1 of the Illinois  
11 Vehicle Code and to charge a fee based upon the cost of  
12 providing such courses of up to \$6 per person for fiscal years  
13 2010, 2011, and 2012; up to \$8 per person for fiscal years  
14 2013, 2014, and 2015; and up to \$10 per person for fiscal year  
15 2016 and each fiscal year thereafter for the initial classroom  
16 course in school bus driver safety and of up to \$6 per person  
17 for fiscal years 2010, 2011, and 2012; up to \$8 per person for  
18 fiscal years 2013, 2014, and 2015; and up to \$10 per person for  
19 fiscal year 2016 and each fiscal year thereafter for the annual  
20 refresher course.

21 (b) To conduct such investigations as may be necessary to  
22 insure that all persons hired to operate school buses have  
23 valid school bus driver permits as required under Sections

1 6-104 and 6-106.1 of "The Illinois Vehicle Code". If a regional  
2 superintendent finds evidence of non-compliance with this  
3 requirement, he shall submit such evidence together with his  
4 recommendations in writing to the school board.

5 If the regional superintendent finds evidence of  
6 noncompliance with the requirement that all persons employed  
7 directly by the school board to operate school buses have valid  
8 school bus driver permits as required under Sections 6-104 and  
9 6-106.1 of "The Illinois Vehicle Code", the regional  
10 superintendent shall schedule a hearing on a date not less than  
11 5 days nor more than 10 days after notifying the district of  
12 his findings. If based on the evidence presented at the hearing  
13 the regional superintendent finds that persons employed  
14 directly by the school board to operate school buses do not  
15 have valid school bus driver permits as required under Sections  
16 6-104 and 6-106.1 of "The Illinois Vehicle Code", the regional  
17 superintendent shall submit such evidence and his findings  
18 together with his recommendations to the State Superintendent  
19 of Education. The State Superintendent of Education may reduce  
20 the district's claim for reimbursement under Sections 29-5 and  
21 14-13.01 for transportation by 1.136% for each day of  
22 noncompliance.

23 If a school board finds evidence of noncompliance with the  
24 requirement that all persons employed by a contractor to  
25 operate school buses have valid school bus driver permits as  
26 required under Sections 6-104 and 6-106.1 of "The Illinois

1 Vehicle Code", the school board shall request a hearing before  
2 the regional superintendent. The regional superintendent shall  
3 schedule a hearing on a date not less than 5 days nor more than  
4 10 days after receiving the request. If based on the evidence  
5 presented at the hearing the regional superintendent finds that  
6 persons employed by a contractor to operate school buses do not  
7 have valid school bus driver permits as required under Sections  
8 6-104 and 6-106.1 of "The Illinois Vehicle Code", the school  
9 board's financial obligations under the contract shall be  
10 reduced by an amount equal to 1.136% for each day of  
11 noncompliance. The findings of the regional superintendent and  
12 the relief provided herein shall not impair the obligations of  
13 the contractor to continue to provide transportation services  
14 in accordance with the terms of the contract.

15 The provisions of the Administrative Review Law, and all  
16 amendments and modifications thereof and the rules adopted  
17 pursuant thereto shall apply to and govern all proceedings  
18 instituted for judicial review of final administrative  
19 decisions of the regional superintendent under this Section.

20 (Source: P.A. 96-616, eff. 1-1-10.)