

1 AN ACT in relation to driver 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 adding Sections
5 27-24.9, 27-24.10, 27-24.11, 27-24.12, and 27-24.13 as
6 follows:

7 (105 ILCS 5/27-24.9 new)

8 Sec. 27-24.9 Parent or guardian directed driver
9 education.

10 (a) Any parent or legal guardian may elect to teach his
11 or her child's driver education course if the parent or
12 guardian:

13 (1) Is a licensed driver.

14 (2) Has not had his or her driver's license
15 suspended with the past 5 years.

16 (3) Has never been convicted of driving under the
17 influence of alcohol, drugs, or intoxicating compounds,
18 leaving the scene of an accident involving personal
19 injury or death, or reckless homicide and has never
20 received a statutory summary suspension of his or her
21 driver's license.

22 (b) A parent or guardian electing to teach his or her
23 child's driver education course must maintain adequate
24 records, as prescribed by rule by the State Board of
25 Education, to demonstrate that approved driver education
26 material was completed and must provide those records to the
27 person or company providing the driver education materials.
28 The parent or guardian must demonstrate proof of insurance to
29 the person or company providing the driver education
30 materials.

31 (c) The student driver must spend the minimum number of

1 hours provided by rule of the State Board in classroom
2 instruction and practice driving instruction.

3 (d) Any parent or guardian directed driver education
4 course must meet with the approval of the State Board.

5 (e) The State Board may not approve a course unless the
6 State Board determines that the course materials are at least
7 equal to those required in a school-based course approved by
8 the State Board. The State Board, however, may not require
9 that the classroom instruction be provided in a room having
10 particular characteristics or equipment or that the vehicle
11 used for the practice driving instruction have equipment
12 other than the equipment required by law for operation on a
13 highway.

14 (f) Before the State Board may approve a driver
15 education course, the person or company offering the course
16 materials must register with the Secretary of State to do
17 business in Illinois and must have professional liability
18 insurance for the course materials and company being
19 considered. The company's insurance policy must include the
20 State of Illinois as an additional insured.

21 (g) The State Board shall supply to companies with
22 approved driver education courses any applications and other
23 materials necessary for obtaining an instruction permit under
24 the Illinois Vehicle Code.

25 (h) The rules adopted by the State Board must include
26 requirements for obtaining approval of a driver education
27 course and for proof of completion of an approved parent or
28 guardian directed driver education course.

29 (i) Completion of a parent or guardian directed driver
30 education course approved under this Section is equivalent to
31 completion of a school-based driver education course approved
32 by the State Board.

33 (j) Students participating in parent or guardian
34 directed driver education courses approved by the State Board

1 must meet current academic requirements for participating in
2 driver education under Section 27-24.2 of this Act.

3 (k) In order for a parent or guardian directed driver
4 education course to be approved, the parent or guardian must
5 perform at least 50 hours of practice driving instruction,
6 including 10 hours of practice driving instruction during the
7 nighttime hours.

8 (l) The State Board shall make a listing of approved
9 driver education courses available on its website.

10 (105 ILCS 5/27-24.10 new)

11 Sec. 27-24.10. Driver education classroom instruction
12 option. Any school district required to offer a driver
13 education course under Section 27-24.2 of this Act may use
14 the option of providing the required 30 hours of classroom
15 instruction and allowing the pupil's parent or legal guardian
16 to direct the practice driving part of driver education.
17 Parents and guardians teaching their children the practice
18 driving part of driver education must keep appropriate logs
19 and must submit those logs to the instructor in charge of
20 driver education at the appropriate public school. The school
21 district supervising and offering the driver education course
22 must retain those records. The school district shall be
23 reimbursed the full amount for instruction under Section
24 27-24.4.

25 (105 ILCS 5/27-24.11 new)

26 Sec. 27-14.11. Unauthorized transfer of a certificate of
27 completion of a driver education course. Any parent or
28 guardian who knowingly sells, trades, issues, or otherwise
29 transfers or possesses with intent to sell, trade, issue, or
30 otherwise transfer a certificate of completion of a driver
31 education course to an individual, firm, or corporation not
32 authorized to possess the certificate is guilty of a Class C

1 misdemeanor.

2 (105 ILCS 5/27-24.12 new)

3 Sec. 27-24.12. Unauthorized possession of a certificate
4 of completion of a driver education course. Any parent or
5 guardian who knowingly possesses a certificate of completion
6 of a driver education course when he or she is not authorized
7 to possess the certificate is guilty of a Class C
8 misdemeanor.

9 (105 ILCS 5/27-24.13 new)

10 Sec. 27-24.13 State Board's response to possible
11 violations. If a member of the State Board believes that a
12 company providing driver education materials or a parent or
13 guardian has violated any provision of Sections 27-24.9
14 through 27-24.12 or a rule adopted under those Sections, the
15 State Board may, without notice, order appropriate sanctions.

16 Section 10. The Illinois Vehicle Code is amended by
17 changing Section 6-107 as follows:

18 (625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)

19 Sec. 6-107. Graduated license.

20 (a) The purpose of the Graduated Licensing Program is
21 to develop safe and mature driving habits in young,
22 inexperienced drivers and reduce or prevent motor vehicle
23 accidents, fatalities, and injuries by:

24 (1) providing for an increase in the time of
25 practice period before granting permission to obtain a
26 driver's license;

27 (2) strengthening driver licensing and testing
28 standards for persons under the age of 21 years;

29 (3) sanctioning driving privileges of drivers under
30 age 21 who have committed serious traffic violations or

1 other specified offenses; and

2 (4) setting stricter standards to promote the
3 public's health and safety.

4 (b) The application of any person under the age of 18
5 years, and not legally emancipated by marriage, for a drivers
6 license or permit to operate a motor vehicle issued under the
7 laws of this State, shall be accompanied by the written
8 consent of either parent of the applicant; otherwise by the
9 guardian having custody of the applicant, or in the event
10 there is no parent or guardian, then by another responsible
11 adult.

12 No graduated driver's license shall be issued to any
13 applicant under 18 years of age, unless the applicant has:

14 (1) Held a valid instruction permit for a minimum
15 of 3 months.

16 (2) Passed an approved driver education course and
17 submits proof of having passed the course as may be
18 required.

19 (3) certification by the parent, legal guardian, or
20 responsible adult that the applicant has had a minimum of
21 25 hours of behind-the-wheel practice time and is
22 sufficiently prepared and able to safely operate a motor
23 vehicle. Performance of the required number of hours of
24 practice driving instruction provided for under Section
25 27-24.9 of the School Code is sufficient for compliance
26 with this paragraph (3).

27 (c) No graduated driver's license or permit shall be
28 issued to any applicant under 18 years of age who has
29 committed the offense of operating a motor vehicle without a
30 valid license or permit in violation of Section 6-101 of this
31 Code and no graduated driver's license or permit shall be
32 issued to any applicant under 18 years of age who has
33 committed an offense that would otherwise result in a
34 mandatory revocation of a license or permit as provided in

1 Section 6-205 of this Code or who has been either convicted
2 of or adjudicated a delinquent based upon a violation of the
3 Cannabis Control Act or the Illinois Controlled Substances
4 Act, while that individual was in actual physical control of
5 a motor vehicle. For purposes of this Section, any person
6 placed on probation under Section 10 of the Cannabis Control
7 Act or Section 410 of the Illinois Controlled Substances Act
8 shall not be considered convicted. Any person found guilty of
9 this offense, while in actual physical control of a motor
10 vehicle, shall have an entry made in the court record by the
11 judge that this offense did occur while the person was in
12 actual physical control of a motor vehicle and order the
13 clerk of the court to report the violation to the Secretary
14 of State as such.

15 (d) No graduated driver's license shall be issued for 6
16 months to any applicant under the age of 18 years who has
17 been convicted of any offense defined as a serious traffic
18 violation in this Code or a similar provision of a local
19 ordinance.

20 (e) No graduated driver's license holder under the age
21 of 18 years shall operate any motor vehicle, except a motor
22 driven cycle or motorcycle, with more than one passenger in
23 the front seat of the motor vehicle and no more passengers in
24 the back seats than the number of available seat safety belts
25 as set forth in Section 12-603 of this Code.

26 (f) No graduated driver's license holder under the age
27 of 18 shall operate a motor vehicle unless each driver and
28 front or back seat passenger under the age of 18 is wearing a
29 properly adjusted and fastened seat safety belt.

30 (Source: P.A. 90-369, eff. 1-1-98.)