

# HB3699



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3699

by Rep. Sue Scherer

### SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-104	from Ch. 95 1/2, par. 6-104
625 ILCS 5/11-1414.1	from Ch. 95 1/2, par. 11-1414.1

Amends the Illinois Vehicle Code. Provides that a multifunction school activity bus may be used by a driver who holds a valid Class D driver's license for any curriculum-related activity, except for transportation on regular bus routes from home to school or from school to home, if the school district does not have a full-time employee who holds a school bus driver permit. Effective immediately.

LRB101 08945 TAE 54035 b

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 6-104 and 11-1414.1 as follows:

6 (625 ILCS 5/6-104) (from Ch. 95 1/2, par. 6-104)

7 Sec. 6-104. Classification of Driver - Special  
8 Restrictions.

9 (a) A driver's license issued under the authority of this  
10 Act shall indicate the classification for which the applicant  
11 therefor has qualified by examination or by such other means  
12 that the Secretary of State shall prescribe. Driver's license  
13 classifications shall be prescribed by rule or regulation  
14 promulgated by the Secretary of State and such may specify  
15 classifications as to operation of motor vehicles of the first  
16 division, or of those of the second division, whether operated  
17 singly or in lawful combination, and whether for-hire or  
18 not-for-hire, and may specify such other classifications as the  
19 Secretary deems necessary.

20 No person shall operate a motor vehicle unless such person  
21 has a valid license with a proper classification to permit the  
22 operation of such vehicle, except that any person may operate a  
23 moped if such person has a valid current Illinois driver's

1 license, regardless of classification.

2 (b) No person who is under the age of 21 years or has had  
3 less than 1 year of driving experience shall drive: (1) in  
4 connection with the operation of any school, day camp, summer  
5 camp, or nursery school, any public or private motor vehicle  
6 for transporting children to or from any school, day camp,  
7 summer camp, or nursery school, or (2) any motor vehicle of the  
8 second division when in use for the transportation of persons  
9 for compensation.

10 (c) No person who is under the age of 18 years shall be  
11 issued a license for the purpose of transporting property for  
12 hire, or for the purpose of transporting persons for  
13 compensation in a motor vehicle of the first division.

14 (d) No person shall drive: (1) a school bus when  
15 transporting school children unless such person possesses a  
16 valid school bus driver permit or is accompanied and  
17 supervised, for the specific purpose of training prior to  
18 routine operation of a school bus, by a person who has held a  
19 valid school bus driver permit for at least one year; or (2)  
20 any other vehicle owned or operated by or for a public or  
21 private school, or a school operated by a religious  
22 institution, where such vehicle is being used over a regularly  
23 scheduled route for the transportation of persons enrolled as a  
24 student in grade 12 or below, in connection with any activity  
25 of the entities unless such person possesses a valid school bus  
26 driver permit.

1 (d-5) No person may drive a bus that does not meet the  
2 special requirements for school buses provided in Sections  
3 12-801, 12-802, 12-803, and 12-805 of this Code that has been  
4 chartered for the sole purpose of transporting students  
5 regularly enrolled in grade 12 or below to or from  
6 interscholastic athletic or interscholastic or school  
7 sponsored activities unless the person has a valid and properly  
8 classified commercial driver's license as provided in  
9 subsection (c-1) of Section 6-508 of this Code in addition to  
10 any other permit or license that is required to operate that  
11 bus. This subsection (d-5) does not apply to any bus driver  
12 employed by a public transportation provider authorized to  
13 conduct local or interurban transportation of passengers when  
14 the bus is not traveling a specific school bus route but is on  
15 a regularly scheduled route for the transporting of other fare  
16 paying passengers.

17 A person may operate a chartered bus described in this  
18 subsection (d-5) if he or she is not disqualified from driving  
19 a chartered bus of that type and if he or she holds a CDL that  
20 is:

21 (1) issued to him or her by any other state or  
22 jurisdiction in accordance with 49 CFR 383;

23 (2) not suspended, revoked, or canceled; and

24 (3) valid under 49 CFR 383, subpart F, for the type of  
25 vehicle being driven.

26 A person may also operate a chartered bus described in this

1 subsection (d-5) if he or she holds a valid CDL and a valid  
2 school bus driver permit that was issued on or before December  
3 31, 2003.

4 (d-10) A person may operate a multifunction school activity  
5 bus (MFSAB) if the person holds a valid Class D driver's  
6 license and the MFSAB is operated in accordance with subsection  
7 (a-5) of Section 11-1414.1.

8 (e) No person shall drive a religious organization bus  
9 unless such person has a valid and properly classified drivers  
10 license or a valid school bus driver permit.

11 (f) No person shall drive a motor vehicle for the purpose  
12 of providing transportation for the elderly in connection with  
13 the activities of any public or private organization unless  
14 such person has a valid and properly classified driver's  
15 license issued by the Secretary of State.

16 (g) No person shall drive a bus which meets the special  
17 requirements for school buses provided in Section 12-801,  
18 12-802, 12-803 and 12-805 of this Code for the purpose of  
19 transporting persons 18 years of age or less in connection with  
20 any youth camp licensed under the Youth Camp Act or any child  
21 care facility licensed under the Child Care Act of 1969 unless  
22 such person possesses a valid school bus driver permit or is  
23 accompanied and supervised, for the specific purpose of  
24 training prior to routine operation of a school bus, by a  
25 person who has held a valid school bus driver permit for at  
26 least one year; however, a person who has a valid and properly

1 classified driver's license issued by the Secretary of State  
2 may operate a school bus for the purpose of transporting  
3 persons 18 years of age or less in connection with any such  
4 youth camp or child care facility if the "SCHOOL BUS" signs are  
5 covered or concealed and the stop signal arm and flashing  
6 signal systems are not operable through normal controls.

7 (h) No person shall operate an autocycle unless he or she  
8 has a valid Class D driver's license.

9 (Source: P.A. 98-777, eff. 1-1-15.)

10 (625 ILCS 5/11-1414.1) (from Ch. 95 1/2, par. 11-1414.1)

11 Sec. 11-1414.1. School transportation of students.

12 (a) Except as provided in subsection (a-5), every ~~Every~~  
13 student enrolled in grade 12 or below in any entity listed in  
14 subsection (a) of Section 1-182 of this Code must be  
15 transported in a school bus or a vehicle described in  
16 subdivision (1) or (2) of subsection (b) of Section 1-182 of  
17 this Code for any curriculum-related school activity, except a  
18 student in any of grades 9 through 12 or a student in any of  
19 grades K through 12 with an Individualized Education Plan (IEP)  
20 with a staff to student ratio of 1 to 5, and attending Acacia  
21 Academy, Alexander Leigh, Marklund, Helping Hands Center,  
22 Connections Organization, Soaring Eagle Academy, or New  
23 Horizon Academy may be transported in a multi-function school  
24 activity bus (MFSAB) as defined in Section 1-148.3a-5 of this  
25 Code for any curriculum-related activity except for

1 transportation on regular bus routes from home to school or  
2 from school to home, subject to the following conditions:

3 (i) A MFSAB may not be used to transport students under  
4 this Section unless the driver holds a valid school bus  
5 driver permit.

6 (ii) The use of a MFSAB under this Section is subject  
7 to the requirements of Sections 6-106.11, 6-106.12,  
8 12-707.01, 13-101, and 13-109 of this Code.

9 "Curriculum-related school activity" as used in this  
10 Section ~~subsection (a)~~ includes transportation from home to  
11 school or from school to home, tripper or shuttle service  
12 between school attendance centers, transportation to a  
13 vocational or career center or other trade-skill development  
14 site or a regional safe school or other school-sponsored  
15 alternative learning program, or a trip that is directly  
16 related to the regular curriculum of a student for which he or  
17 she earns credit.

18 (a-5) A MFSAB may be used by a driver who holds a valid  
19 Class D driver's license for any curriculum-related activity,  
20 except for transportation on regular bus routes from home to  
21 school or from school to home, if the school district does not  
22 have a full-time employee who holds a school bus driver permit.

23 (b) Every student enrolled in grade 12 or below in any  
24 entity listed in subsection (a) of Section 1-182 of this Code  
25 who is transported in a vehicle that is being operated by or  
26 for a public or private primary or secondary school, including

1 any primary or secondary school operated by a religious  
2 institution, for an interscholastic, interscholastic-athletic,  
3 or school-sponsored, noncurriculum-related activity that (i)  
4 does not require student participation as part of the  
5 educational services of the entity and (ii) is not associated  
6 with the students' regular class-for-credit schedule shall  
7 transport students only in a school bus or vehicle described in  
8 subsection (b) of Section 1-182 of this Code. This subsection  
9 (b) does not apply to any second division vehicle used by an  
10 entity listed in subsection (a) of Section 1-182 of this Code  
11 for a parade, homecoming, or a similar noncurriculum-related  
12 school activity.

13 (Source: P.A. 99-888, eff. 1-1-17; 100-667, eff. 1-1-19.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.