

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
5 changing Sections 6-106.1 and 11-1414.1 as follows:

6 (625 ILCS 5/6-106.1)

7 Sec. 6-106.1. School bus driver permit.

8 (a) The Secretary of State shall issue a school bus driver
9 permit for the operation of first or second division vehicles
10 being operated as school buses, ~~or~~ a permit valid only for the
11 operation of first division vehicles being operated as school
12 buses, or a school bus permit with a restriction valid for the
13 operation of a first division vehicle being operated as a
14 school bus or a multifunction school activity bus designed to
15 carry up to 15 passengers, including the driver, when being
16 used for curriculum-related activities as set forth in Section
17 11-1414.1 of this Code, to those applicants who have met all
18 the requirements of the application and screening process
19 under this Section to insure the welfare and safety of
20 children who are transported on school buses throughout the
21 State of Illinois. Applicants shall obtain the proper
22 application required by the Secretary of State from their
23 prospective or current employer and submit the completed

1 application to the prospective or current employer along with
2 the necessary fingerprint submission as required by the
3 Illinois State Police to conduct fingerprint-based criminal
4 background checks on current and future information available
5 in the State system and current information available through
6 the Federal Bureau of Investigation's system. Applicants who
7 have completed the fingerprinting requirements shall not be
8 subjected to the fingerprinting process when applying for
9 subsequent permits or submitting proof of successful
10 completion of the annual refresher course. Individuals who on
11 July 1, 1995 (the effective date of Public Act 88-612) possess
12 a valid school bus driver permit that has been previously
13 issued by the appropriate Regional School Superintendent are
14 not subject to the fingerprinting provisions of this Section
15 as long as the permit remains valid and does not lapse. The
16 applicant shall be required to pay all related application and
17 fingerprinting fees as established by rule, including, but not
18 limited to, the amounts established by the Illinois State
19 Police and the Federal Bureau of Investigation to process
20 fingerprint-based criminal background investigations. All fees
21 paid for fingerprint processing services under this Section
22 shall be deposited into the State Police Services Fund for the
23 cost incurred in processing the fingerprint-based criminal
24 background investigations. All other fees paid under this
25 Section shall be deposited into the Road Fund for the purpose
26 of defraying the costs of the Secretary of State in

1 administering this Section. All applicants must:

2 1. be 21 years of age or older;

3 2. possess a valid and properly classified driver's
4 license issued by the Secretary of State;

5 3. possess a valid driver's license, which has not
6 been revoked, suspended, or canceled for 3 years
7 immediately prior to the date of application, or have not
8 had his or her commercial motor vehicle driving privileges
9 disqualified within the 3 years immediately prior to the
10 date of application;

11 4. successfully pass a first division or second
12 division written test, administered by the Secretary of
13 State, on school bus operation, school bus safety, and
14 special traffic laws relating to school buses and submit
15 to a review of the applicant's driving habits by the
16 Secretary of State at the time the written test is given;

17 5. demonstrate ability to exercise reasonable care in
18 the operation of school buses in accordance with rules
19 promulgated by the Secretary of State;

20 6. demonstrate physical fitness to operate school
21 buses by submitting the results of a medical examination,
22 including tests for drug use for each applicant not
23 subject to such testing pursuant to federal law, conducted
24 by a licensed physician, a licensed advanced practice
25 registered nurse, or a licensed physician assistant within
26 90 days of the date of application according to standards

1 promulgated by the Secretary of State;

2 7. affirm under penalties of perjury that he or she
3 has not made a false statement or knowingly concealed a
4 material fact in any application for permit;

5 8. have completed an initial classroom course,
6 including first aid procedures, in school bus driver
7 safety as promulgated by the Secretary of State and, after
8 satisfactory completion of said initial course, an annual
9 refresher course; such courses and the agency or
10 organization conducting such courses shall be approved by
11 the Secretary of State; failure to complete the annual
12 refresher course shall result in cancellation of the
13 permit until such course is completed;

14 9. not have been under an order of court supervision
15 for or convicted of 2 or more serious traffic offenses, as
16 defined by rule, within one year prior to the date of
17 application that may endanger the life or safety of any of
18 the driver's passengers within the duration of the permit
19 period;

20 10. not have been under an order of court supervision
21 for or convicted of reckless driving, aggravated reckless
22 driving, driving while under the influence of alcohol,
23 other drug or drugs, intoxicating compound or compounds or
24 any combination thereof, or reckless homicide resulting
25 from the operation of a motor vehicle within 3 years of the
26 date of application;

1 11. not have been convicted of committing or
2 attempting to commit any one or more of the following
3 offenses: (i) those offenses defined in Sections 8-1,
4 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1,
5 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9,
6 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5,
7 11-6.6, 11-9, 11-9.1, 11-9.1A, 11-9.3, 11-9.4, 11-9.4-1,
8 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16,
9 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2,
10 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-20.4, 11-21, 11-22,
11 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.05,
12 12-3.1, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3,
13 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.3, 12-6,
14 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13,
15 12-14, 12-14.1, 12-15, 12-16, 12-21.5, 12-21.6, 12-33,
16 12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16, 16-16.1,
17 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1, 20-1.2,
18 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6,
19 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, 31A-1.1,
20 33A-2, and 33D-1, in subsection (A), clauses (a) and (b),
21 of Section 24-3, and those offenses contained in Article
22 29D of the Criminal Code of 1961 or the Criminal Code of
23 2012; (ii) those offenses defined in the Cannabis Control
24 Act except those offenses defined in subsections (a) and
25 (b) of Section 4, and subsection (a) of Section 5 of the
26 Cannabis Control Act; (iii) those offenses defined in the

1 Illinois Controlled Substances Act; (iv) those offenses
2 defined in the Methamphetamine Control and Community
3 Protection Act; (v) any offense committed or attempted in
4 any other state or against the laws of the United States,
5 which if committed or attempted in this State would be
6 punishable as one or more of the foregoing offenses; (vi)
7 the offenses defined in Section 4.1 and 5.1 of the Wrongs
8 to Children Act or Section 11-9.1A of the Criminal Code of
9 1961 or the Criminal Code of 2012; (vii) those offenses
10 defined in Section 6-16 of the Liquor Control Act of 1934;
11 and (viii) those offenses defined in the Methamphetamine
12 Precursor Control Act;

13 12. not have been repeatedly involved as a driver in
14 motor vehicle collisions or been repeatedly convicted of
15 offenses against laws and ordinances regulating the
16 movement of traffic, to a degree which indicates lack of
17 ability to exercise ordinary and reasonable care in the
18 safe operation of a motor vehicle or disrespect for the
19 traffic laws and the safety of other persons upon the
20 highway;

21 13. not have, through the unlawful operation of a
22 motor vehicle, caused a crash resulting in the death of
23 any person;

24 14. not have, within the last 5 years, been adjudged
25 to be afflicted with or suffering from any mental
26 disability or disease;

1 15. consent, in writing, to the release of results of
2 reasonable suspicion drug and alcohol testing under
3 Section 6-106.1c of this Code by the employer of the
4 applicant to the Secretary of State; and

5 16. not have been convicted of committing or
6 attempting to commit within the last 20 years: (i) an
7 offense defined in subsection (c) of Section 4, subsection
8 (b) of Section 5, and subsection (a) of Section 8 of the
9 Cannabis Control Act; or (ii) any offenses in any other
10 state or against the laws of the United States that, if
11 committed or attempted in this State, would be punishable
12 as one or more of the foregoing offenses.

13 (a-5) If an applicant's driver's license has been
14 suspended within the 3 years immediately prior to the date of
15 application for the sole reason of failure to pay child
16 support, that suspension shall not bar the applicant from
17 receiving a school bus driver permit.

18 (a-10) By January 1, 2024, the Secretary of State, in
19 conjunction with the Illinois State Board of Education, shall
20 develop a separate classroom course and refresher course for
21 operation of vehicles of the first division being operated as
22 school buses. Regional superintendents of schools, working
23 with the Illinois State Board of Education, shall offer the
24 course.

25 (b) A school bus driver permit shall be valid for a period
26 specified by the Secretary of State as set forth by rule. It

1 shall be renewable upon compliance with subsection (a) of this
2 Section.

3 (c) A school bus driver permit shall contain the holder's
4 driver's license number, legal name, residence address, zip
5 code, and date of birth, a brief description of the holder, and
6 a space for signature. The Secretary of State may require a
7 suitable photograph of the holder.

8 (d) The employer shall be responsible for conducting a
9 pre-employment interview with prospective school bus driver
10 candidates, distributing school bus driver applications and
11 medical forms to be completed by the applicant, and submitting
12 the applicant's fingerprint cards to the Illinois State Police
13 that are required for the criminal background investigations.
14 The employer shall certify in writing to the Secretary of
15 State that all pre-employment conditions have been
16 successfully completed including the successful completion of
17 an Illinois specific criminal background investigation through
18 the Illinois State Police and the submission of necessary
19 fingerprints to the Federal Bureau of Investigation for
20 criminal history information available through the Federal
21 Bureau of Investigation system. The applicant shall present
22 the certification to the Secretary of State at the time of
23 submitting the school bus driver permit application.

24 (e) Permits shall initially be provisional upon receiving
25 certification from the employer that all pre-employment
26 conditions have been successfully completed, and upon

1 successful completion of all training and examination
2 requirements for the classification of the vehicle to be
3 operated, the Secretary of State shall provisionally issue a
4 School Bus Driver Permit. The permit shall remain in a
5 provisional status pending the completion of the Federal
6 Bureau of Investigation's criminal background investigation
7 based upon fingerprinting specimens submitted to the Federal
8 Bureau of Investigation by the Illinois State Police. The
9 Federal Bureau of Investigation shall report the findings
10 directly to the Secretary of State. The Secretary of State
11 shall remove the bus driver permit from provisional status
12 upon the applicant's successful completion of the Federal
13 Bureau of Investigation's criminal background investigation.

14 (f) A school bus driver permit holder shall notify the
15 employer and the Secretary of State if he or she is issued an
16 order of court supervision for or convicted in another state
17 of an offense that would make him or her ineligible for a
18 permit under subsection (a) of this Section. The written
19 notification shall be made within 5 days of the entry of the
20 order of court supervision or conviction. Failure of the
21 permit holder to provide the notification is punishable as a
22 petty offense for a first violation and a Class B misdemeanor
23 for a second or subsequent violation.

24 (g) Cancellation; suspension; notice and procedure.

25 (1) The Secretary of State shall cancel a school bus
26 driver permit of an applicant whose criminal background

1 investigation discloses that he or she is not in
2 compliance with the provisions of subsection (a) of this
3 Section.

4 (2) The Secretary of State shall cancel a school bus
5 driver permit when he or she receives notice that the
6 permit holder fails to comply with any provision of this
7 Section or any rule promulgated for the administration of
8 this Section.

9 (3) The Secretary of State shall cancel a school bus
10 driver permit if the permit holder's restricted commercial
11 or commercial driving privileges are withdrawn or
12 otherwise invalidated.

13 (4) The Secretary of State may not issue a school bus
14 driver permit for a period of 3 years to an applicant who
15 fails to obtain a negative result on a drug test as
16 required in item 6 of subsection (a) of this Section or
17 under federal law.

18 (5) The Secretary of State shall forthwith suspend a
19 school bus driver permit for a period of 3 years upon
20 receiving notice that the holder has failed to obtain a
21 negative result on a drug test as required in item 6 of
22 subsection (a) of this Section or under federal law.

23 (6) The Secretary of State shall suspend a school bus
24 driver permit for a period of 3 years upon receiving
25 notice from the employer that the holder failed to perform
26 the inspection procedure set forth in subsection (a) or

1 (b) of Section 12-816 of this Code.

2 (7) The Secretary of State shall suspend a school bus
3 driver permit for a period of 3 years upon receiving
4 notice from the employer that the holder refused to submit
5 to an alcohol or drug test as required by Section 6-106.1c
6 or has submitted to a test required by that Section which
7 disclosed an alcohol concentration of more than 0.00 or
8 disclosed a positive result on a National Institute on
9 Drug Abuse five-drug panel, utilizing federal standards
10 set forth in 49 CFR 40.87.

11 The Secretary of State shall notify the State
12 Superintendent of Education and the permit holder's
13 prospective or current employer that the applicant (1) has
14 failed a criminal background investigation or (2) is no longer
15 eligible for a school bus driver permit; and of the related
16 cancellation of the applicant's provisional school bus driver
17 permit. The cancellation shall remain in effect pending the
18 outcome of a hearing pursuant to Section 2-118 of this Code.
19 The scope of the hearing shall be limited to the issuance
20 criteria contained in subsection (a) of this Section. A
21 petition requesting a hearing shall be submitted to the
22 Secretary of State and shall contain the reason the individual
23 feels he or she is entitled to a school bus driver permit. The
24 permit holder's employer shall notify in writing to the
25 Secretary of State that the employer has certified the removal
26 of the offending school bus driver from service prior to the

1 start of that school bus driver's next work shift. An
2 employing school board that fails to remove the offending
3 school bus driver from service is subject to the penalties
4 defined in Section 3-14.23 of the School Code. A school bus
5 contractor who violates a provision of this Section is subject
6 to the penalties defined in Section 6-106.11.

7 All valid school bus driver permits issued under this
8 Section prior to January 1, 1995, shall remain effective until
9 their expiration date unless otherwise invalidated.

10 (h) When a school bus driver permit holder who is a service
11 member is called to active duty, the employer of the permit
12 holder shall notify the Secretary of State, within 30 days of
13 notification from the permit holder, that the permit holder
14 has been called to active duty. Upon notification pursuant to
15 this subsection, (i) the Secretary of State shall characterize
16 the permit as inactive until a permit holder renews the permit
17 as provided in subsection (i) of this Section, and (ii) if a
18 permit holder fails to comply with the requirements of this
19 Section while called to active duty, the Secretary of State
20 shall not characterize the permit as invalid.

21 (i) A school bus driver permit holder who is a service
22 member returning from active duty must, within 90 days, renew
23 a permit characterized as inactive pursuant to subsection (h)
24 of this Section by complying with the renewal requirements of
25 subsection (b) of this Section.

26 (j) For purposes of subsections (h) and (i) of this

1 Section:

2 "Active duty" means active duty pursuant to an executive
3 order of the President of the United States, an act of the
4 Congress of the United States, or an order of the Governor.

5 "Service member" means a member of the Armed Services or
6 reserve forces of the United States or a member of the Illinois
7 National Guard.

8 (k) A private carrier employer of a school bus driver
9 permit holder, having satisfied the employer requirements of
10 this Section, shall be held to a standard of ordinary care for
11 intentional acts committed in the course of employment by the
12 bus driver permit holder. This subsection (k) shall in no way
13 limit the liability of the private carrier employer for
14 violation of any provision of this Section or for the
15 negligent hiring or retention of a school bus driver permit
16 holder.

17 (l) The Secretary may adopt rules to implement this
18 Section.

19 (Source: P.A. 102-168, eff. 7-27-21; 102-299, eff. 8-6-21;
20 102-538, eff. 8-20-21; 102-726, eff. 1-1-23; 102-813, eff.
21 5-13-22; 102-982, eff. 7-1-23; 102-1130, eff. 7-1-23; 103-605,
22 eff. 7-1-24; 103-825, eff. 1-1-25.)

23 (625 ILCS 5/11-1414.1) (from Ch. 95 1/2, par. 11-1414.1)

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

25 (a) Every student enrolled in grade 12 or below in any

1 entity listed in subsection (a) of Section 1-182 of this Code
2 must be transported in a school bus or a vehicle described in
3 subdivision (1) or (2) of subsection (b) of Section 1-182 of
4 this Code for any curriculum-related school activity, except a
5 student in any of grades 9 through 12 or a student in any of
6 grades K through 12 with an Individualized Education Plan
7 (IEP) with a staff to student ratio of 1 to 5, and attending
8 Acacia Academy, Alexander Leigh, Marklund, Helping Hands
9 Center, Connections Organization, Soaring Eagle Academy, or
10 New Horizon Academy may be transported in a multifunction
11 ~~multi-function~~ school activity bus (MFSAB) as defined in
12 Section 1-148.3a-5 of this Code for any curriculum-related
13 activity except for transportation on regular bus routes from
14 home to school or from school to home. The use of a MFSAB for
15 curriculum-related activities is 7 subject to the following
16 conditions:

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

20 (ii) The use of a MFSAB under this Section is subject
21 to the requirements of Sections 6-106.11, 6-106.12,
22 12-707.01, 13-101, and 13-109 of this Code.

23 "Curriculum-related school activity" as used in this
24 subsection (a) includes transportation from home to school or
25 from school to home, tripper or shuttle service between school
26 attendance centers, transportation to a vocational or career

1 center or other trade-skill development site or a regional
2 safe school or other school-sponsored alternative learning
3 program, or a trip that is directly related to the regular
4 curriculum of a student for which he or she earns credit.

5 (b) Every student enrolled in grade 12 or below in any
6 entity listed in subsection (a) of Section 1-182 of this Code
7 who is transported in a vehicle that is being operated by or
8 for a public or private primary or secondary school, including
9 any primary or secondary school operated by a religious
10 institution, for an interscholastic,
11 interscholastic-athletic, or school-sponsored,
12 noncurriculum-related activity that (i) does not require
13 student participation as part of the educational services of
14 the entity and (ii) is not associated with the students'
15 regular class-for-credit schedule shall transport students
16 only in a school bus or vehicle described in subsection (b) of
17 Section 1-182 of this Code. A student participating in an
18 agrarian-related activity may also be transported in a second
19 division pick-up truck registered under paragraph 7 of
20 subsection (b) of Section 3-808.1. For purposes of this
21 subsection, "pick-up truck" means a truck weighing 12,000
22 pounds or less with an enclosed cabin that can seat up to 6
23 passengers with seatbelts, including the driver, and an open
24 cargo area. This subsection (b) does not apply to any second
25 division vehicle used by an entity listed in subsection (a) of
26 Section 1-182 of this Code for a parade, homecoming, or a

1 similar noncurriculum-related school activity.

2 (Source: P.A. 102-544, eff. 8-20-21.)

3 Section 99. Effective date. This Act takes effect July 1,
4 2026.