

HB3289



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3289

Introduced 2/18/2025, by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-707.01 from Ch. 95 1/2, par. 12-707.01
625 ILCS 5/13-101.2 new

Amends the Illinois Vehicle Code. Requires the Secretary of State to compile each form and proof of insurance submitted by each owner of any school bus, first division vehicle, owned by or used for hire by and in connection with the operation of private or public schools, day camps, summer camps, or nursery schools in a database and shall update the database on an annual basis. Requires the Department of Transportation to collect and maintain each certificate of safety from every school bus, first division vehicle. Requires the Department to develop and maintain a database of every school bus, first division vehicle that has contracted with any elementary or secondary school in the State for any transportation services.

LRB104 10965 LNS 21047 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
5 changing Section 12-707.01 and by adding Section 13-101.2 as
6 follows:

7 (625 ILCS 5/12-707.01) (from Ch. 95 1/2, par. 12-707.01)
8 Sec. 12-707.01. Liability insurance.

9 (a) No school bus, first division vehicle including a taxi
10 which is used for a purpose that requires a school bus driver
11 permit, commuter van or motor vehicle owned by or used for hire
12 by and in connection with the operation of private or public
13 schools, day camps, summer camps or nursery schools, and no
14 commuter van or passenger car used for a for-profit
15 ridesharing arrangement, shall be operated for such purposes
16 unless the owner thereof shall carry a minimum of personal
17 injury liability insurance in the amount of \$25,000 for any
18 one person in any one crash, and subject to the limit for one
19 person, \$100,000 for two or more persons injured by reason of
20 the operation of the vehicle in any one crash. This subsection
21 (a) applies only to personal injury liability policies issued
22 or renewed before January 1, 2013.

23 (b) Liability insurance policies issued or renewed on and

1 after January 1, 2013 shall comply with the following:

2 (1) except as provided in subparagraph (2) of this
3 subsection (b), any vehicle that is used for a purpose
4 that requires a school bus driver permit under Section
5 6-104 of this Code shall carry a minimum of liability
6 insurance in the amount of \$2,000,000. This minimum
7 insurance requirement may be satisfied by either (i) a
8 \$2,000,000 combined single limit primary commercial
9 automobile policy; or (ii) a \$1 million primary commercial
10 automobile policy and a minimum \$5,000,000 excess or
11 umbrella liability policy;

12 (2) any vehicle that is used for a purpose that
13 requires a school bus driver permit under Section 6-104 of
14 this Code and is used in connection with the operation of
15 private day care facilities, day camps, summer camps, or
16 nursery schools shall carry a minimum of liability
17 insurance in the amount of \$1,000,000 combined single
18 limit per crash;

19 (3) any commuter van or passenger car used for a
20 for-profit ridesharing arrangement shall carry a minimum
21 of liability insurance in the amount of \$500,000 combined
22 single limit per crash.

23 (c) Primary insurance coverage under the provisions of
24 this Section must be provided by a licensed and admitted
25 insurance carrier or an intergovernmental cooperative formed
26 under Section 10 of Article VII of the Illinois Constitution,

1 or Section 6 or 9 of the Intergovernmental Cooperation Act, or
2 provided by a certified self-insurer under Section 7-502 of
3 this Code. The excess or umbrella liability coverage
4 requirement may be met by securing surplus line insurance as
5 defined under Section 445 of the Illinois Insurance Code. If
6 the excess or umbrella liability coverage requirement is met
7 by securing surplus line insurance, that coverage must be
8 effected through a licensed surplus line producer acting under
9 the surplus line insurance laws and regulations of this State.
10 Nothing in this subsection (c) shall be construed as
11 prohibiting a licensed and admitted insurance carrier or an
12 intergovernmental cooperative formed under Section 10 of
13 Article VII of the Illinois Constitution, or Section 6 or 9 of
14 the Intergovernmental Cooperation Act, or a certified
15 self-insurer under Section 7-502 of this Code, from retaining
16 the risk required under paragraphs (1) and (2) of subsection
17 (b) of this Section or issuing a single primary policy meeting
18 the requirements of paragraphs (1) and (2) of subsection (b).

19 (d) Each owner of a vehicle required to obtain the minimum
20 liability requirements under subsection (b) of this Section
21 shall attest that the vehicle meets the minimum insurance
22 requirements under this Section. The Secretary of State shall
23 create a form for each owner of a vehicle to attest that the
24 owner meets the minimum insurance requirements and the owner
25 of the vehicle shall submit the form and proof of insurance
26 with each registration application. The form shall be valid

1 for the full registration period; however, if at any time the
2 Secretary has reason to believe that the owner does not have
3 the minimum required amount of insurance for a vehicle, then
4 the Secretary may require a certificate of insurance, or its
5 equivalent, to ensure the vehicle is insured. If the owner
6 fails to produce a certificate of insurance, or its
7 equivalent, within 2 calendar days after the request was made,
8 then the Secretary may revoke the vehicle owner's registration
9 until the Secretary is assured the vehicle meets the minimum
10 insurance requirements. If the owner of a vehicle participates
11 in an intergovernmental cooperative or is self-insured, then
12 the owner shall attest that the insurance required under this
13 Section is equivalent to or greater than the insurance
14 required under paragraph (1) of subsection (b) of this
15 Section. The Secretary may adopt any rules necessary to
16 enforce the provisions of this subsection (d).

17 (e) The Secretary shall compile each form and proof of
18 insurance submitted under subsection (d) by each owner of any
19 school bus, first division vehicle, including a taxi which is
20 used for a purpose that requires a school bus driver permit,
21 commuter van, or motor vehicle, owned by or used for hire by
22 and in connection with the operation of private or public
23 schools, day camps, summer camps, or nursery schools in a
24 database and shall update the database on an annual basis. The
25 Secretary shall coordinate with the Department in the
26 development and maintenance of such database. The Secretary

1 shall be responsible for maintaining the following
2 information, at a minimum, in the database:

3 (1) the name and address of each owner or operator of
4 each vehicle identified under this subsection;

5 (2) the amount of liability insurance obtained per
6 vehicle identified under this subsection;

7 (3) the date on which the materials under subsection
8 (d) were submitted;

9 (4) the date of expiration of each vehicle's liability
10 insurance; and

11 (5) the school or other entity contracting with the
12 owner or operator of each vehicle identified under this
13 subsection.

14 (Source: P.A. 102-982, eff. 7-1-23.)

15 (625 ILCS 5/13-101.2 new)

16 Sec. 13-101.2. School bus inspection database.

17 (a) The Department shall collect and maintain each
18 certificate of safety, issued pursuant to Section 13-101, from
19 every school bus, first division vehicle, including a taxi
20 which is used for a purpose that requires a school bus driver
21 permit, and a multifunction school-activity bus that has
22 contracted with any elementary or secondary school in the
23 State for any transportation services.

24 (b) The Department shall, in coordination with the
25 Secretary of State pursuant to subsection (e) of Section

1 12-707.01, develop and maintain a database of every school
2 bus, first division vehicle, including a taxi which is used
3 for a purpose that requires a school bus driver permit and a
4 multifunction school-activity bus that has contracted with any
5 elementary or secondary school in the State for any
6 transportation services.

7 (c) The Department shall be responsible for maintaining
8 the following information, at a minimum, in the database:

9 (1) the name and address of each owner or operator of
10 each vehicle identified under subsection (a);

11 (2) the license plate number for each vehicle
12 identified under subsection (a);

13 (3) the most recent date of inspection for each
14 vehicle identified under subsection (a);

15 (4) the mileage of each vehicle, as identified under
16 subsection (a), on the date of inspection;

17 (5) the expected expiration date of inspection, which
18 shall be 6 months following the information in paragraph
19 (3);

20 (6) the mileage that would require a vehicle to
21 undergo subsequent inspection, which shall be 10,000 miles
22 after the mileage indicated under paragraph (4); and

23 (7) the name of the school contracting with each owner
24 or operator of any vehicle, as identified under subsection
25 (a), for any transportation services.