



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5163

Introduced 2/10/2026, by Rep. William "Will" Davis

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-106.1

Amends the Illinois Vehicle Code. Provides that, by January 1, 2027, the course for operation of vehicles of the first division being operated as school buses shall be available virtually. Requires, by January 1, 2027, the Secretary of State to make the written test for the operation of vehicles of the first division being operated as school buses available for completion online. Effective immediately.

LRB104 18219 LNS 31658 b

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 6-106.1 as follows:

6 (625 ILCS 5/6-106.1)

7 (Text of Section before amendment by P.A. 104-256)

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

9 (a) The Secretary of State shall issue a school bus driver
10 permit for the operation of first or second division vehicles
11 being operated as school buses or a permit valid only for the
12 operation of first division vehicles being operated as school
13 buses to those applicants who have met all the requirements of
14 the application and screening process under this Section to
15 insure the welfare and safety of children who are transported
16 on school buses throughout the State of Illinois. Applicants
17 shall obtain the proper application required by the Secretary
18 of State from their prospective or current employer and submit
19 the completed application to the prospective or current
20 employer along with the necessary fingerprint submission as
21 required by the Illinois State Police to conduct
22 fingerprint-based criminal background checks on current and
23 future information available in the State system and current

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

- 24 1. be 21 years of age or older;
- 25 2. possess a valid and properly classified driver's
26 license issued by the Secretary of State;

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

7 4. unless the applicant holds a valid commercial
8 driver's license or a commercial driver's license that
9 expired in the preceding 30 days issued by another state
10 with a school bus and passenger endorsement, successfully
11 pass a first division or second division written test,
12 administered by the Secretary of State, on school bus
13 operation, school bus safety, and special traffic laws
14 relating to school buses and submit to a review of the
15 applicant's driving habits by the Secretary of State at
16 the time the written test is given. For purposes of this
17 paragraph, "state" means a state of the United States and
18 the District of Columbia;

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

22 6. demonstrate physical fitness to operate school
23 buses by submitting the results of a medical examination,
24 including tests for drug use for each applicant not
25 subject to such testing pursuant to federal law, conducted
26 by a licensed physician, a licensed advanced practice

1 registered nurse, or a licensed physician assistant within
2 90 days of the date of application according to standards
3 promulgated by the Secretary of State;

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

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

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

22 10. not have been under an order of court supervision
23 for or convicted of reckless driving, aggravated reckless
24 driving, driving while under the influence of alcohol,
25 other drug or drugs, intoxicating compound or compounds or
26 any combination thereof, or reckless homicide resulting

1 from the operation of a motor vehicle within 3 years of the
2 date of application;

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

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

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

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

26 14. not have, within the last 5 years, been adjudged

1 to be afflicted with or suffering from any mental
2 disability or disease;

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

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

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

20 (a-10) By January 1, 2024, the Secretary of State, in
21 conjunction with the Illinois State Board of Education, shall
22 develop a separate classroom course and refresher course for
23 operation of vehicles of the first division being operated as
24 school buses. Regional superintendents of schools, working
25 with the Illinois State Board of Education, shall offer the
26 course virtually by January 1, 2027.

1 (a-15) By January 1, 2027, the Secretary of State shall
2 make the written test for the operation of vehicles of the
3 first division being operated as school buses available for
4 completion online.

5 (b) A school bus driver permit shall be valid for a period
6 specified by the Secretary of State as set forth by rule. It
7 shall be renewable upon compliance with subsection (a) of this
8 Section.

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

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

1 Bureau of Investigation system. The applicant shall present
2 the certification to the Secretary of State at the time of
3 submitting the school bus driver permit application.

4 (e) Permits shall initially be provisional upon receiving
5 certification from the employer that all pre-employment
6 conditions have been successfully completed, and upon
7 successful completion of all training and examination
8 requirements for the classification of the vehicle to be
9 operated, the Secretary of State shall provisionally issue a
10 School Bus Driver Permit. The permit shall remain in a
11 provisional status pending the completion of the Federal
12 Bureau of Investigation's criminal background investigation
13 based upon fingerprinting specimens submitted to the Federal
14 Bureau of Investigation by the Illinois State Police. The
15 Federal Bureau of Investigation shall report the findings
16 directly to the Secretary of State. The Secretary of State
17 shall remove the bus driver permit from provisional status
18 upon the applicant's successful completion of the Federal
19 Bureau of Investigation's criminal background investigation.

20 (f) A school bus driver permit holder shall notify the
21 employer and the Secretary of State if he or she is issued an
22 order of court supervision for or convicted in another state
23 of an offense that would make him or her ineligible for a
24 permit under subsection (a) of this Section. The written
25 notification shall be made within 5 days of the entry of the
26 order of court supervision or conviction. Failure of the

1 permit holder to provide the notification is punishable as a
2 petty offense for a first violation and a Class B misdemeanor
3 for a second or subsequent violation.

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

5 (1) The Secretary of State shall cancel a school bus
6 driver permit of an applicant whose criminal background
7 investigation discloses that he or she is not in
8 compliance with the provisions of subsection (a) of this
9 Section.

10 (2) The Secretary of State shall cancel a school bus
11 driver permit when he or she receives notice that the
12 permit holder fails to comply with any provision of this
13 Section or any rule promulgated for the administration of
14 this Section.

15 (3) The Secretary of State shall cancel a school bus
16 driver permit if the permit holder's restricted commercial
17 or commercial driving privileges are withdrawn or
18 otherwise invalidated.

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

24 (5) The Secretary of State shall forthwith suspend a
25 school bus driver permit for a period of 3 years upon
26 receiving notice that the holder has failed to obtain a

1 negative result on a drug test as required in item 6 of
2 subsection (a) of this Section or under federal law.

3 (6) The Secretary of State shall suspend a school bus
4 driver permit for a period of 3 years upon receiving
5 notice from the employer that the holder failed to perform
6 the inspection procedure set forth in subsection (a) or
7 (b) of Section 12-816 of this Code.

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

17 The Secretary of State shall notify the State
18 Superintendent of Education and the permit holder's
19 prospective or current employer that the applicant (1) has
20 failed a criminal background investigation or (2) is no longer
21 eligible for a school bus driver permit; and of the related
22 cancellation of the applicant's provisional school bus driver
23 permit. The cancellation shall remain in effect pending the
24 outcome of a hearing pursuant to Section 2-118 of this Code.
25 The scope of the hearing shall be limited to the issuance
26 criteria contained in subsection (a) of this Section. A

1 petition requesting a hearing shall be submitted to the
2 Secretary of State and shall contain the reason the individual
3 feels he or she is entitled to a school bus driver permit. The
4 permit holder's employer shall notify in writing to the
5 Secretary of State that the employer has certified the removal
6 of the offending school bus driver from service prior to the
7 start of that school bus driver's next work shift. An
8 employing school board that fails to remove the offending
9 school bus driver from service is subject to the penalties
10 defined in Section 3-14.23 of the School Code. A school bus
11 contractor who violates a provision of this Section is subject
12 to the penalties defined in Section 6-106.11.

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

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

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

6 (j) For purposes of subsections (h) and (i) of this
7 Section:

8 "Active duty" means active duty pursuant to an executive
9 order of the President of the United States, an act of the
10 Congress of the United States, or an order of the Governor.

11 "Service member" means a member of the Armed Services or
12 reserve forces of the United States or a member of the Illinois
13 National Guard.

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

23 (Source: P.A. 103-605, eff. 7-1-24; 103-825, eff. 1-1-25;
24 104-260, eff. 8-15-25.)

25 (Text of Section after amendment by P.A. 104-256)

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

2 (a) The Secretary of State shall issue a school bus driver
3 permit for the operation of first or second division vehicles
4 being operated as school buses, a permit valid only for the
5 operation of first division vehicles being operated as school
6 buses, or a school bus permit with a restriction valid for the
7 operation of a first division vehicle being operated as a
8 school bus or a multifunction school activity bus designed to
9 carry up to 15 passengers, including the driver, when being
10 used for curriculum-related activities as set forth in Section
11 11-1414.1 of this Code, to those applicants who have met all
12 the requirements of the application and screening process
13 under this Section to insure the welfare and safety of
14 children who are transported on school buses throughout the
15 State of Illinois. Applicants shall obtain the proper
16 application required by the Secretary of State from their
17 prospective or current employer and submit the completed
18 application to the prospective or current employer along with
19 the necessary fingerprint submission as required by the
20 Illinois State Police to conduct fingerprint-based criminal
21 background checks on current and future information available
22 in the State system and current information available through
23 the Federal Bureau of Investigation's system. Applicants who
24 have completed the fingerprinting requirements shall not be
25 subjected to the fingerprinting process when applying for
26 subsequent permits or submitting proof of successful

1 completion of the annual refresher course. Individuals who on
2 July 1, 1995 (the effective date of Public Act 88-612) possess
3 a valid school bus driver permit that has been previously
4 issued by the appropriate Regional School Superintendent are
5 not subject to the fingerprinting provisions of this Section
6 as long as the permit remains valid and does not lapse. The
7 applicant shall be required to pay all related application and
8 fingerprinting fees as established by rule, including, but not
9 limited to, the amounts established by the Illinois State
10 Police and the Federal Bureau of Investigation to process
11 fingerprint-based criminal background investigations. All fees
12 paid for fingerprint processing services under this Section
13 shall be deposited into the State Police Services Fund for the
14 cost incurred in processing the fingerprint-based criminal
15 background investigations. All other fees paid under this
16 Section shall be deposited into the Road Fund for the purpose
17 of defraying the costs of the Secretary of State in
18 administering this Section. All applicants must:

- 19 1. be 21 years of age or older;
- 20 2. possess a valid and properly classified driver's
21 license issued by the Secretary of State;
- 22 3. possess a valid driver's license, which has not
23 been revoked, suspended, or canceled for 3 years
24 immediately prior to the date of application, or have not
25 had his or her commercial motor vehicle driving privileges
26 disqualified within the 3 years immediately prior to the

1 date of application;

2 4. unless the applicant holds a valid commercial
3 driver's license or a commercial driver's license that
4 expired in the preceding 30 days issued by another state
5 with a school bus and passenger endorsement, successfully
6 pass a first division or second division written test,
7 administered by the Secretary of State, on school bus
8 operation, school bus safety, and special traffic laws
9 relating to school buses and submit to a review of the
10 applicant's driving habits by the Secretary of State at
11 the time the written test is given. For purposes of this
12 paragraph, "state" means a state of the United States and
13 the District of Columbia;

14 5. demonstrate ability to exercise reasonable care in
15 the operation of school buses in accordance with rules
16 promulgated by the Secretary of State;

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

25 7. affirm under penalties of perjury that he or she
26 has not made a false statement or knowingly concealed a

1 material fact in any application for permit;

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

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

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

24 11. not have been convicted of committing or
25 attempting to commit any one or more of the following
26 offenses: (i) those offenses defined in Sections 8-1,

1 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1,
2 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9,
3 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5,
4 11-6.6, 11-9, 11-9.1, 11-9.1A, 11-9.3, 11-9.4, 11-9.4-1,
5 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16,
6 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2,
7 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-20.4, 11-21, 11-22,
8 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.05,
9 12-3.1, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3,
10 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.3, 12-6,
11 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13,
12 12-14, 12-14.1, 12-15, 12-16, 12-21.5, 12-21.6, 12-33,
13 12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16, 16-16.1,
14 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1, 20-1.2,
15 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6,
16 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, 31A-1.1,
17 33A-2, and 33D-1, in subsection (A), clauses (a) and (b),
18 of Section 24-3, and those offenses contained in Article
19 29D of the Criminal Code of 1961 or the Criminal Code of
20 2012; (ii) those offenses defined in the Cannabis Control
21 Act except those offenses defined in subsections (a) and
22 (b) of Section 4, and subsection (a) of Section 5 of the
23 Cannabis Control Act; (iii) those offenses defined in the
24 Illinois Controlled Substances Act; (iv) those offenses
25 defined in the Methamphetamine Control and Community
26 Protection Act; (v) any offense committed or attempted in

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

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

18 13. not have, through the unlawful operation of a
19 motor vehicle, caused a crash resulting in the death of
20 any person;

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

24 15. consent, in writing, to the release of results of
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16 State that all pre-employment conditions have been
17 successfully completed including the successful completion of
18 an Illinois specific criminal background investigation through
19 the Illinois State Police and the submission of necessary
20 fingerprints to the Federal Bureau of Investigation for
21 criminal history information available through the Federal
22 Bureau of Investigation system. The applicant shall present
23 the certification to the Secretary of State at the time of
24 submitting the school bus driver permit application.

25 (e) Permits shall initially be provisional upon receiving
26 certification from the employer that all pre-employment

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

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

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

26 (1) The Secretary of State shall cancel a school bus

1 driver permit of an applicant whose criminal background
2 investigation discloses that he or she is not in
3 compliance with the provisions of subsection (a) of this
4 Section.

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

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

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

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

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

1 the inspection procedure set forth in subsection (a) or
2 (b) of Section 12-816 of this Code.

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

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

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

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

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

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

1 (j) For purposes of subsections (h) and (i) of this
2 Section:

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

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

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

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

20 (Source: P.A. 103-605, eff. 7-1-24; 103-825, eff. 1-1-25;
21 104-256, eff. 7-1-26; 104-260, eff. 8-15-25; revised 9-12-25.)

22 Section 95. No acceleration or delay. Where this Act makes
23 changes in a statute that is represented in this Act by text
24 that is not yet or no longer in effect (for example, a Section
25 represented by multiple versions), the use of that text does

1 not accelerate or delay the taking effect of (i) the changes
2 made by this Act or (ii) provisions derived from any other
3 Public Act.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.