**Section 456.40 Definitions**

 "Bus" – Every motor vehicle, other than a commuter van, designed for carryingmore than 10 persons, including the driver*.* (See Section 1-107 of the Illinois Vehicle Code.)

 "Certificate of Safety" – The visible symbol, authorized by Section 13-110 of the Code and provided by the Division's Commercial Vehicle Safety Section (CVSS) for use by an Official Testing Station, that is directly affixed to a vehicle by a Certified Safety Tester only after the completion of a proper safety test demonstrating that the vehicle meets the minimum standards established by the Division (i.e., 92 Ill. Adm. Code 448, 441, 443 and 445).

 *"Charitable Vehicle" − Any vehicle that is exclusively owned and operated by a religious or charitable not-for-profit organization and is used primarily in conducting the official activities of such organization. This definition does not include:*

*a bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interurban transportation of passengers when such bus is on a regularly* *scheduled route for the transportation of other fare paying passengers or furnishing charter service for the transportation of groups on special trips or in connection with special events and not over a regular or customary religious organization bus route;*

 a *school bus as defined in Section 1-182 of* the *Code; or*

*a First Division vehicle, other than one designed for transporting not less than 7 nor more than 10 passengers, as defined in Section* *1-217 of* the *Code; except that, for purposes of determining the number of persons a vehicle is designed to carry in this Section, in any vehicle equipped with one or more wheelchair tiedowns, each wheelchair* *tiedown shall be counted as 4 persons*. *Each wheelchair tiedown shall be counted as 1 person for any other purpose of* the *Code.* (Section 1-111.1a of the Code)

 "Code" – The Illinois Vehicle Code [625 ILCS5].

 "Commercial Vehicle Safety Section" or "CVSS" – A section of the Bureau of Safety Programs of the Division of Traffic Safety, Illinois Department of Transportation.

 *"Department" – The Department of Transportation of the State of Illinois, acting directly or through its duly authorized officers and agents.* (Section 1-115.05 of the Code)

 "Division" − The Illinois Department of Transportation, Division of Traffic Safety.

 "Federal Motor Vehicle Safety Standards" or "FMVSS" – 49 CFR 571 (October 1, 2013).

"Glossy Black" – National Institutes of Standards and Technology Federal Standard No. 595a, Color 17038.

"Illinois Vehicle Inspection Law" or "The Law" – 625 ILCS 5/Ch. 13.

 "*Multifunction School Activity Bus" or "MFSAB" means a school bus manufactured for the purpose of transporting 11 or more persons, including the driver, whose purposes do not include transporting students to and from home or school bus stops.* An *MFSAB is prohibited from meeting the special requirements for school buses in Sections 12‑801, 12‑803, and 12‑805 and Section 12‑802(a) of* the *Code.* (Section 1-148.3a5 of the Code)

"National School Bus GlossyYellow" − National Institutes of Standards and Technology Federal Standard No. 595a, Color 13432.

"Nonscheduled Inspection" – The Division's program used to monitor the maintenance and condition of school buses, religious organization buses and buses registered as charitable vehicles. Nonscheduled inspections are performed on a periodic basis at locations where the buses are stored or parked.

 "Nonscheduled Inspection Report" or "NIR" – The form used by the Division to document nonscheduled inspection findings and to indicate actions taken when necessary.

 "Official Testing Station" – All contiguous real and personal property that houses the testing lane or lanes (if required) and any and all equipment (if applicable) and supplies relating to the safety testing of vehicles. Official testing stations are classified as either public or private. Public stations are open to the public and are authorized to safety test vehicles as required by Section 13-101 of the Law and Section 6-410 of the Code. Private stations are established by companies for the purpose of safety testing vehicles that are owned or operated by the company; therefore, private stations are not open to the public.

 "Officer" or "Inspector" – An employee of the Illinois Department of Transportation, Commercial Vehicle Safety Section.

 "Operator" – The owner or the individual responsible for the maintenance and condition of a school bus, religious organization bus or a bus registered as a charitable vehicle.

 "Out-of-Service Penalty" – The most serious penalty that can be assessed. This penalty requires a bus to be inspected at an Official Testing Station before being placed back in service. (See Section 13-109(b) of the Law.)

 *"Religious Organization Bus" –* See the definition of "charitable vehicle" in this Section.

 "School Bus Brake Inspection Report" or "SBBIR" – The form used by school bus operators to verify that brake inspections have been performed as required by 92 Ill. Adm. Code 447. The required brake inspection report is subject to inspection by the Division's officers. Religious organization buses, buses registered as charitable vehicles, and MFSABs are exempt from the requirements of 92 Ill. Adm. Code 447.

 "School Bus" *–*

 *Every motor vehicle, except as provided* in this definition*, owned or operated by or for any of the following entities for the transportation of persons regularly enrolled as students in grade 12 or below in connection with any activity of such entity:*

 *Any public or private primary or secondary school;*

 *Any primary or secondary school operated by a religious institution; or*

 *Any public, private or religious nursery school.*

 *This definition shall not include the following:*

 *A bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interurban transportation of passengers when such bus is not traveling a specific school bus route but is:*

 *On a regularly scheduled route for the transportation of other fare paying passengers;*

 *Furnishing charter service for the transportation of groups on field trips or other special trips or in connection with other special events; or*

 *Being used for shuttle service between attendance centers or other educational facilities.*

*A motor vehicle of the First Division*.

*A multifunction school activity bus.* (Section 1-182 of the Code)

 "Three-Day Notice Penalty" – This penalty requires a violation to be corrected within 3 working days before Division officers return for a reinspection. (See Section 13-109(c) of the Law.)

 "Type I School Bus" or "MFSAB" − A school bus or an MFSAB with a gross vehicle weight rating of more than 10,000 pounds. (See Section 1-213.4 of the Code.)

 "Type II School Bus" or "MFSAB" − A school bus or an MFSAB with a gross vehicle weight rating of 10,000 pounds or less. (See Section 1-213.5 of the Code.)

 "Type I-A School Bus" or "MFSAB" − A term commonly used by school bus manufacturers to classify a certain type of school bus or MFSAB that is a conversion or body constructed upon a van-type or cutaway front-section vehicle with a left side driver's door, designed for carrying more than 10 persons. The type I-A school bus or MFSAB has a Gross Vehicle Weight Rating (GVWR) of more than 10,000 pounds.

 "Warning Penalty" – This penalty requires a violation to be corrected within 30 days and the appropriate copy of the NIR to be mailed to the CVSS as soon as repairs are made. (See Section 13-109(d) of the Law.)

(Source: Amended at 38 Ill. Reg. 12941, effective June 4, 2014)