

HB5301



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5301

Introduced 1/31/2022, by Rep. Anne Stava-Murray

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-508

from Ch. 95 1/2, par. 6-508

Amends the Illinois Vehicle Code. Provides that the Secretary of State shall waive the skills tests for a driver applying for a commercial driver's license who has fire department or fire protection district motor vehicle experience.

LRB102 25330 RAM 34606 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 6-508 as follows:

6 (625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)

7 Sec. 6-508. Commercial Driver's License (CDL);
8 qualification ~~(CDL)~~ ~~qualification~~ standards.

9 (a) Testing.

10 (1) General. No person shall be issued an original or
11 renewal CDL unless that person is domiciled in this State
12 or is applying for a non-domiciled CDL under Sections
13 6-509 and 6-510 of this Code. The Secretary shall cause to
14 be administered such tests as the Secretary deems
15 necessary to meet the requirements of 49 CFR ~~C.F.R.~~ Part
16 383, subparts F, G, H, and J.

17 (1.5) Effective July 1, 2014, no person shall be
18 issued an original CDL or an upgraded CDL that requires a
19 skills test unless that person has held a CLP, for a
20 minimum of 14 calendar days, for the classification of
21 vehicle and endorsement, if any, for which the person is
22 seeking a CDL.

23 (2) Third party testing. The Secretary of State may

1 authorize a "third party tester", pursuant to 49 CFR
2 ~~C.F.R.~~ 383.75 and 49 CFR ~~C.F.R.~~ 384.228 and 384.229, to
3 administer the skills test or tests specified by the
4 Federal Motor Carrier Safety Administration pursuant to
5 the Commercial Motor Vehicle Safety Act of 1986 and any
6 appropriate federal rule.

7 (3) (i) Effective February 7, 2020, unless the person
8 is exempted by 49 CFR 380.603, no person shall be issued an
9 original (first time issuance) CDL, an upgraded CDL or a
10 school bus (S), passenger (P), or hazardous Materials (H)
11 endorsement unless the person has successfully completed
12 entry-level driver training (ELDT) taught by a training
13 provider listed on the federal Training Provider Registry.

14 (ii) Persons who obtain a CLP before February 7, 2020
15 are not required to complete ELDT if the person obtains a
16 CDL before the CLP or renewed CLP expires.

17 (iii) Except for persons seeking the H endorsement,
18 persons must complete the theory and behind-the-wheel
19 (range and public road) portions of ELDT within one year
20 of completing the first portion.

21 (iv) The Secretary shall adopt rules to implement this
22 subsection.

23 (b) Waiver of Skills Test. The Secretary of State may
24 waive the skills test specified in this Section for a driver
25 applicant for a commercial driver license who meets the
26 requirements of 49 CFR ~~C.F.R.~~ 383.77. The Secretary of State

1 shall waive the skills tests specified in this Section for a
2 driver applicant who has military commercial motor vehicle
3 experience, subject to the requirements of 49 CFR ~~C.F.R.~~
4 383.77, or fire department or fire protection district motor
5 vehicle experience.

6 (b-1) No person shall be issued a CDL unless the person
7 certifies to the Secretary one of the following types of
8 driving operations in which he or she will be engaged:

9 (1) non-excepted interstate;

10 (2) non-excepted intrastate;

11 (3) excepted interstate; or

12 (4) excepted intrastate.

13 (b-2) (Blank).

14 (c) Limitations on issuance of a CDL. A CDL shall not be
15 issued to a person while the person is subject to a
16 disqualification from driving a commercial motor vehicle, or
17 unless otherwise permitted by this Code, while the person's
18 driver's license is suspended, revoked, or cancelled in any
19 state, or any territory or province of Canada; nor may a CLP or
20 CDL be issued to a person who has a CLP or CDL issued by any
21 other state, or foreign jurisdiction, nor may a CDL be issued
22 to a person who has an Illinois CLP unless the person first
23 surrenders all of these licenses or permits. However, a person
24 may hold an Illinois CLP and an Illinois CDL providing the CLP
25 is necessary to train or practice for an endorsement or
26 vehicle classification not present on the current CDL. No CDL

1 shall be issued to or renewed for a person who does not meet
2 the requirement of 49 CFR 391.41(b)(11). The requirement may
3 be met with the aid of a hearing aid.

4 (c-1) The Secretary may issue a CDL with a school bus
5 driver endorsement to allow a person to drive the type of bus
6 described in subsection (d-5) of Section 6-104 of this Code.
7 The CDL with a school bus driver endorsement may be issued only
8 to a person meeting the following requirements:

9 (1) the person has submitted his or her fingerprints
10 to the Illinois State Police in the form and manner
11 prescribed by the Illinois State Police. These
12 fingerprints shall be checked against the fingerprint
13 records now and hereafter filed in the Illinois State
14 Police and Federal Bureau of Investigation criminal
15 history records databases;

16 (2) the person has passed a written test, administered
17 by the Secretary of State, on charter bus operation,
18 charter bus safety, and certain special traffic laws
19 relating to school buses determined by the Secretary of
20 State to be relevant to charter buses, and submitted to a
21 review of the driver applicant's driving habits by the
22 Secretary of State at the time the written test is given;

23 (3) the person has demonstrated physical fitness to
24 operate school buses by submitting the results of a
25 medical examination, including tests for drug use; and

26 (4) the person has not been convicted of committing or

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

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

15 The Illinois State Police shall charge a fee for
16 conducting the criminal history records check, which shall be
17 deposited into the State Police Services Fund and may not
18 exceed the actual cost of the records check.

19 (c-2) The Secretary shall issue a CDL with a school bus
20 endorsement to allow a person to drive a school bus as defined
21 in this Section. The CDL shall be issued according to the
22 requirements outlined in 49 CFR ~~C.F.R.~~ 383. A person may not
23 operate a school bus as defined in this Section without a
24 school bus endorsement. The Secretary of State may adopt rules
25 consistent with Federal guidelines to implement this
26 subsection (c-2).

1 (d) (Blank).

2 (Source: P.A. 101-185, eff. 1-1-20; 102-168, eff. 7-27-21;

3 102-299, eff. 8-6-21; 102-538, eff. 8-20-21; revised

4 10-12-21.)