



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3149

Introduced 2/17/2023, by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-500	from Ch. 95 1/2, par. 6-500
625 ILCS 5/6-507.5	
625 ILCS 5/6-508.5 new	
625 ILCS 5/6-514	
625 ILCS 5/7-315	from Ch. 95 1/2, par. 7-315
625 ILCS 5/7-318	from Ch. 95 1/2, par. 7-318
625 ILCS 5/11-1201	from Ch. 95 1/2, par. 11-1201
625 ILCS 5/11-1202	from Ch. 95 1/2, par. 11-1202
625 ILCS 5/11-1425	from Ch. 95 1/2, par. 11-1425

Amends the Illinois Vehicle Code. Defines "drug and alcohol clearinghouse" as a database system established by the Federal Motor Carrier Safety Administration that permits the access and retrieval of a drug and alcohol testing violation or violations precluding an applicant or employee from occupying safety-sensitive positions involving the operation of a commercial motor vehicle. Provides that, no later than November 18, 2024, the Secretary shall request information from the drug and alcohol clearinghouse for all applicants applying for an initial, renewal, transfer, or upgraded commercial driver's license or commercial learner's permit, and enforce federal regulations pertaining to the clearinghouse. Provides that a commercial learner's permit is valid for 12 months (instead of 6 months with a 6-month renewal). Provides that certificates of insurance and notices of cancellation or termination of insurance shall be submitted to the Secretary of State electronically (instead of in written or electronic form). Sets forth additional requirements for certain vehicles when approaching or stopping at railroad grade crossings, railroad tracks or tracks at grades, or highway rail grade crossings. Effective immediately.

LRB103 30978 MXP 57571 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 Sections 6-500, 6-507.5, 6-514, 7-315, 7-318,
6 11-1201, 11-1202, and 11-1425 and by adding Section 6-508.5 as
7 follows:

8 (625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

9 (Text of Section before amendment by P.A. 102-982)

10 Sec. 6-500. Definitions of words and phrases.
11 Notwithstanding the definitions set forth elsewhere in this
12 Code, for purposes of the Uniform Commercial Driver's License
13 Act (UCDLA), the words and phrases listed below have the
14 meanings ascribed to them as follows:

15 (1) Alcohol. "Alcohol" means any substance containing any
16 form of alcohol, including but not limited to ethanol,
17 methanol, propanol, and isopropanol.

18 (2) Alcohol concentration. "Alcohol concentration" means:

19 (A) the number of grams of alcohol per 210 liters of
20 breath; or

21 (B) the number of grams of alcohol per 100 milliliters
22 of blood; or

23 (C) the number of grams of alcohol per 67 milliliters

1 of urine.

2 Alcohol tests administered within 2 hours of the driver
3 being "stopped or detained" shall be considered that driver's
4 "alcohol concentration" for the purposes of enforcing this
5 UCDLA.

6 (3) (Blank).

7 (4) (Blank).

8 (5) (Blank).

9 (5.3) CDLIS driver record. "CDLIS driver record" means the
10 electronic record of the individual CDL driver's status and
11 history stored by the State-of-Record as part of the
12 Commercial Driver's License Information System, or CDLIS,
13 established under 49 U.S.C. 31309.

14 (5.5) CDLIS motor vehicle record. "CDLIS motor vehicle
15 record" or "CDLIS MVR" means a report generated from the CDLIS
16 driver record meeting the requirements for access to CDLIS
17 information and provided by states to users authorized in 49
18 C.F.R. 384.225(e)(3) and (4), subject to the provisions of the
19 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

20 (5.7) Commercial driver's license downgrade. "Commercial
21 driver's license downgrade" or "CDL downgrade" means either:

22 (A) a state allows the driver to change his or her
23 self-certification to interstate, but operating
24 exclusively in transportation or operation excepted from
25 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f),
26 391.2, 391.68, or 398.3;

1 (B) a state allows the driver to change his or her
2 self-certification to intrastate only, if the driver
3 qualifies under that state's physical qualification
4 requirements for intrastate only;

5 (C) a state allows the driver to change his or her
6 certification to intrastate, but operating exclusively in
7 transportation or operations excepted from all or part of
8 the state driver qualification requirements; or

9 (D) a state removes the CDL privilege from the driver
10 license.

11 (6) Commercial Motor Vehicle.

12 (A) "Commercial motor vehicle" or "CMV" means a motor
13 vehicle or combination of motor vehicles used in commerce,
14 except those referred to in subdivision (B), designed to
15 transport passengers or property if the motor vehicle:

16 (i) has a gross combination weight rating or gross
17 combination weight of 11,794 kilograms or more (26,001
18 pounds or more), whichever is greater, inclusive of
19 any towed unit with a gross vehicle weight rating or
20 gross vehicle weight of more than 4,536 kilograms
21 (10,000 pounds), whichever is greater; or

22 (i-5) has a gross vehicle weight rating or gross
23 vehicle weight of 11,794 or more kilograms (26,001
24 pounds or more), whichever is greater; or

25 (ii) is designed to transport 16 or more persons,
26 including the driver; or

1 (iii) is of any size and is used in transporting
2 hazardous materials as defined in 49 C.F.R. 383.5.

3 (B) Pursuant to the interpretation of the Commercial
4 Motor Vehicle Safety Act of 1986 by the Federal Highway
5 Administration, the definition of "commercial motor
6 vehicle" does not include:

7 (i) recreational vehicles, when operated primarily
8 for personal use;

9 (ii) vehicles owned by or operated under the
10 direction of the United States Department of Defense
11 or the United States Coast Guard only when operated by
12 non-civilian personnel. This includes any operator on
13 active military duty; members of the Reserves;
14 National Guard; personnel on part-time training; and
15 National Guard military technicians (civilians who are
16 required to wear military uniforms and are subject to
17 the Code of Military Justice); or

18 (iii) firefighting, police, and other emergency
19 equipment (including, without limitation, equipment
20 owned or operated by a HazMat or technical rescue team
21 authorized by a county board under Section 5-1127 of
22 the Counties Code), with audible and visual signals,
23 owned or operated by or for a governmental entity,
24 which is necessary to the preservation of life or
25 property or the execution of emergency governmental
26 functions which are normally not subject to general

1 traffic rules and regulations.

2 (7) Controlled Substance. "Controlled substance" shall
3 have the same meaning as defined in Section 102 of the Illinois
4 Controlled Substances Act, and shall also include cannabis as
5 defined in Section 3 of the Cannabis Control Act and
6 methamphetamine as defined in Section 10 of the
7 Methamphetamine Control and Community Protection Act.

8 (8) Conviction. "Conviction" means an unvacated
9 adjudication of guilt or a determination that a person has
10 violated or failed to comply with the law in a court of
11 original jurisdiction or by an authorized administrative
12 tribunal; an unvacated revocation of pretrial release; a plea
13 of guilty or nolo contendere accepted by the court; or the
14 payment of a fine or court cost regardless of whether the
15 imposition of sentence is deferred and ultimately a judgment
16 dismissing the underlying charge is entered.

17 (8.5) Day. "Day" means calendar day.

18 (9) (Blank).

19 (10) (Blank).

20 (11) (Blank).

21 (12) (Blank).

22 (13) Driver. "Driver" means any person who drives,
23 operates, or is in physical control of a commercial motor
24 vehicle, any person who is required to hold a CDL, or any
25 person who is a holder of a CDL while operating a
26 non-commercial motor vehicle.

1 (13.5) Driver applicant. "Driver applicant" means an
2 individual who applies to a state or other jurisdiction to
3 obtain, transfer, upgrade, or renew a CDL or to obtain or renew
4 a CLP.

5 (13.6) Drug and alcohol clearinghouse. "Drug and alcohol
6 clearinghouse" means a database system established by the
7 Federal Motor Carrier Safety Administration that permits the
8 access and retrieval of a drug and alcohol testing violation
9 or violations precluding an applicant or employee from
10 occupying safety-sensitive positions involving the operation
11 of a commercial motor vehicle.

12 (13.8) Electronic device. "Electronic device" includes,
13 but is not limited to, a cellular telephone, personal digital
14 assistant, pager, computer, or any other device used to input,
15 write, send, receive, or read text.

16 (14) Employee. "Employee" means a person who is employed
17 as a commercial motor vehicle driver. A person who is
18 self-employed as a commercial motor vehicle driver must comply
19 with the requirements of this UCDLA pertaining to employees.
20 An owner-operator on a long-term lease shall be considered an
21 employee.

22 (15) Employer. "Employer" means a person (including the
23 United States, a State or a local authority) who owns or leases
24 a commercial motor vehicle or assigns employees to operate
25 such a vehicle. A person who is self-employed as a commercial
26 motor vehicle driver must comply with the requirements of this

1 UCCLA.

2 (15.1) Endorsement. "Endorsement" means an authorization
3 to an individual's CLP or CDL required to permit the
4 individual to operate certain types of commercial motor
5 vehicles.

6 (15.2) Entry-level driver training. "Entry-level driver
7 training" means the training an entry-level driver receives
8 from an entity listed on the Federal Motor Carrier Safety
9 Administration's Training Provider Registry prior to: (i)
10 taking the CDL skills test required to receive the Class A or
11 Class B CDL for the first time; (ii) taking the CDL skills test
12 required to upgrade to a Class A or Class B CDL; or (iii)
13 taking the CDL skills test required to obtain a passenger or
14 school bus endorsement for the first time or the CDL knowledge
15 test required to obtain a hazardous materials endorsement for
16 the first time.

17 (15.3) Excepted interstate. "Excepted interstate" means a
18 person who operates or expects to operate in interstate
19 commerce, but engages exclusively in transportation or
20 operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68,
21 or 398.3 from all or part of the qualification requirements of
22 49 C.F.R. Part 391 and is not required to obtain a medical
23 examiner's certificate by 49 C.F.R. 391.45.

24 (15.5) Excepted intrastate. "Excepted intrastate" means a
25 person who operates in intrastate commerce but engages
26 exclusively in transportation or operations excepted from all

1 or parts of the state driver qualification requirements.

2 (16) (Blank).

3 (16.5) Fatality. "Fatality" means the death of a person as
4 a result of a motor vehicle accident.

5 (16.7) Foreign commercial driver. "Foreign commercial
6 driver" means a person licensed to operate a commercial motor
7 vehicle by an authority outside the United States, or a
8 citizen of a foreign country who operates a commercial motor
9 vehicle in the United States.

10 (17) Foreign jurisdiction. "Foreign jurisdiction" means a
11 sovereign jurisdiction that does not fall within the
12 definition of "State".

13 (18) (Blank).

14 (19) (Blank).

15 (20) Hazardous materials. "Hazardous material" means any
16 material that has been designated under 49 U.S.C. 5103 and is
17 required to be placarded under subpart F of 49 C.F.R. part 172
18 or any quantity of a material listed as a select agent or toxin
19 in 42 C.F.R. part 73.

20 (20.5) Imminent Hazard. "Imminent hazard" means the
21 existence of any condition of a vehicle, employee, or
22 commercial motor vehicle operations that substantially
23 increases the likelihood of serious injury or death if not
24 discontinued immediately; or a condition relating to hazardous
25 material that presents a substantial likelihood that death,
26 serious illness, severe personal injury, or a substantial

1 endangerment to health, property, or the environment may occur
2 before the reasonably foreseeable completion date of a formal
3 proceeding begun to lessen the risk of that death, illness,
4 injury or endangerment.

5 (20.6) Issuance. "Issuance" means initial issuance,
6 transfer, renewal, or upgrade of a CLP or CDL and
7 non-domiciled CLP or CDL.

8 (20.7) Issue. "Issue" means initial issuance, transfer,
9 renewal, or upgrade of a CLP or CDL and non-domiciled CLP or
10 non-domiciled CDL.

11 (21) Long-term lease. "Long-term lease" means a lease of a
12 commercial motor vehicle by the owner-lessor to a lessee, for
13 a period of more than 29 days.

14 (21.01) Manual transmission. "Manual transmission" means a
15 transmission utilizing a driver-operated clutch that is
16 activated by a pedal or lever and a gear-shift mechanism
17 operated either by hand or foot including those known as a
18 stick shift, stick, straight drive, or standard transmission.
19 All other transmissions, whether semi-automatic or automatic,
20 shall be considered automatic for the purposes of the
21 standardized restriction code.

22 (21.1) Medical examiner. "Medical examiner" means an
23 individual certified by the Federal Motor Carrier Safety
24 Administration and listed on the National Registry of
25 Certified Medical Examiners in accordance with Federal Motor
26 Carrier Safety Regulations, 49 CFR 390.101 et seq.

1 (21.2) Medical examiner's certificate. "Medical examiner's
2 certificate" means either (1) prior to June 22, 2021, a
3 document prescribed or approved by the Secretary of State that
4 is issued by a medical examiner to a driver to medically
5 qualify him or her to drive; or (2) beginning June 22, 2021, an
6 electronic submission of results of an examination conducted
7 by a medical examiner listed on the National Registry of
8 Certified Medical Examiners to the Federal Motor Carrier
9 Safety Administration of a driver to medically qualify him or
10 her to drive.

11 (21.5) Medical variance. "Medical variance" means a driver
12 has received one of the following from the Federal Motor
13 Carrier Safety Administration which allows the driver to be
14 issued a medical certificate: (1) an exemption letter
15 permitting operation of a commercial motor vehicle pursuant to
16 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a
17 skill performance evaluation (SPE) certificate permitting
18 operation of a commercial motor vehicle pursuant to 49 C.F.R.
19 391.49.

20 (21.7) Mobile telephone. "Mobile telephone" means a mobile
21 communication device that falls under or uses any commercial
22 mobile radio service, as defined in regulations of the Federal
23 Communications Commission, 47 CFR 20.3. It does not include
24 two-way or citizens band radio services.

25 (22) Motor Vehicle. "Motor vehicle" means every vehicle
26 which is self-propelled, and every vehicle which is propelled

1 by electric power obtained from over head trolley wires but
2 not operated upon rails, except vehicles moved solely by human
3 power and motorized wheel chairs.

4 (22.2) Motor vehicle record. "Motor vehicle record" means
5 a report of the driving status and history of a driver
6 generated from the driver record provided to users, such as
7 drivers or employers, and is subject to the provisions of the
8 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

9 (22.5) Non-CMV. "Non-CMV" means a motor vehicle or
10 combination of motor vehicles not defined by the term
11 "commercial motor vehicle" or "CMV" in this Section.

12 (22.7) Non-excepted interstate. "Non-excepted interstate"
13 means a person who operates or expects to operate in
14 interstate commerce, is subject to and meets the qualification
15 requirements under 49 C.F.R. Part 391, and is required to
16 obtain a medical examiner's certificate by 49 C.F.R. 391.45.

17 (22.8) Non-excepted intrastate. "Non-excepted intrastate"
18 means a person who operates only in intrastate commerce and is
19 subject to State driver qualification requirements.

20 (23) Non-domiciled CLP or Non-domiciled CDL.
21 "Non-domiciled CLP" or "Non-domiciled CDL" means a CLP or CDL,
22 respectively, issued by a state or other jurisdiction under
23 either of the following two conditions:

24 (i) to an individual domiciled in a foreign country
25 meeting the requirements of Part 383.23(b)(1) of 49 C.F.R.
26 of the Federal Motor Carrier Safety Administration.

1 (ii) to an individual domiciled in another state
2 meeting the requirements of Part 383.23(b)(2) of 49 C.F.R.
3 of the Federal Motor Carrier Safety Administration.

4 (24) (Blank).

5 (25) (Blank).

6 (25.5) Railroad-Highway Grade Crossing Violation.
7 "Railroad-highway grade crossing violation" means a violation,
8 while operating a commercial motor vehicle, of any of the
9 following:

10 (A) Section 11-1201, 11-1202, or 11-1425 of this Code.

11 (B) Any other similar law or local ordinance of any
12 state relating to railroad-highway grade crossing.

13 (25.7) School Bus. "School bus" means a commercial motor
14 vehicle used to transport pre-primary, primary, or secondary
15 school students from home to school, from school to home, or to
16 and from school-sponsored events. "School bus" does not
17 include a bus used as a common carrier.

18 (26) Serious Traffic Violation. "Serious traffic
19 violation" means:

20 (A) a conviction when operating a commercial motor
21 vehicle, or when operating a non-CMV while holding a CLP
22 or CDL, of:

23 (i) a violation relating to excessive speeding,
24 involving a single speeding charge of 15 miles per
25 hour or more above the legal speed limit; or

26 (ii) a violation relating to reckless driving; or

1 (iii) a violation of any State law or local
2 ordinance relating to motor vehicle traffic control
3 (other than parking violations) arising in connection
4 with a fatal traffic accident; or

5 (iv) a violation of Section 6-501, relating to
6 having multiple driver's licenses; or

7 (v) a violation of paragraph (a) of Section 6-507,
8 relating to the requirement to have a valid CLP or CDL;
9 or

10 (vi) a violation relating to improper or erratic
11 traffic lane changes; or

12 (vii) a violation relating to following another
13 vehicle too closely; or

14 (viii) a violation relating to texting while
15 driving; or

16 (ix) a violation relating to the use of a
17 hand-held mobile telephone while driving; or

18 (B) any other similar violation of a law or local
19 ordinance of any state relating to motor vehicle traffic
20 control, other than a parking violation, which the
21 Secretary of State determines by administrative rule to be
22 serious.

23 (27) State. "State" means a state of the United States,
24 the District of Columbia and any province or territory of
25 Canada.

26 (28) (Blank).

1 (29) (Blank).

2 (30) (Blank).

3 (31) (Blank).

4 (32) Texting. "Texting" means manually entering
5 alphanumeric text into, or reading text from, an electronic
6 device.

7 (1) Texting includes, but is not limited to, short
8 message service, emailing, instant messaging, a command or
9 request to access a World Wide Web page, pressing more
10 than a single button to initiate or terminate a voice
11 communication using a mobile telephone, or engaging in any
12 other form of electronic text retrieval or entry for
13 present or future communication.

14 (2) Texting does not include:

15 (i) inputting, selecting, or reading information
16 on a global positioning system or navigation system;
17 or

18 (ii) pressing a single button to initiate or
19 terminate a voice communication using a mobile
20 telephone; or

21 (iii) using a device capable of performing
22 multiple functions (for example, a fleet management
23 system, dispatching device, smart phone, citizens band
24 radio, or music player) for a purpose that is not
25 otherwise prohibited by Part 392 of the Federal Motor
26 Carrier Safety Regulations.

1 (32.3) Third party skills test examiner. "Third party
2 skills test examiner" means a person employed by a third party
3 tester who is authorized by the State to administer the CDL
4 skills tests specified in 49 C.F.R. Part 383, subparts G and H.

5 (32.5) Third party tester. "Third party tester" means a
6 person (including, but not limited to, another state, a motor
7 carrier, a private driver training facility or other private
8 institution, or a department, agency, or instrumentality of a
9 local government) authorized by the State to employ skills
10 test examiners to administer the CDL skills tests specified in
11 49 C.F.R. Part 383, subparts G and H.

12 (32.7) United States. "United States" means the 50 states
13 and the District of Columbia.

14 (33) Use a hand-held mobile telephone. "Use a hand-held
15 mobile telephone" means:

16 (1) using at least one hand to hold a mobile telephone
17 to conduct a voice communication;

18 (2) dialing or answering a mobile telephone by
19 pressing more than a single button; or

20 (3) reaching for a mobile telephone in a manner that
21 requires a driver to maneuver so that he or she is no
22 longer in a seated driving position, restrained by a seat
23 belt that is installed in accordance with 49 CFR 393.93
24 and adjusted in accordance with the vehicle manufacturer's
25 instructions.

26 (Source: P.A. 100-223, eff. 8-18-17; 101-185, eff. 1-1-20;

1 101-652, eff. 1-1-23; 102-1104, eff. 1-1-23.)

2 (Text of Section after amendment by P.A. 102-982)

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5 Code, for purposes of the Uniform Commercial Driver's License
6 Act (UCDLA), the words and phrases listed below have the
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9 form of alcohol, including but not limited to ethanol,
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13 breath; or

14 (B) the number of grams of alcohol per 100 milliliters
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16 (C) the number of grams of alcohol per 67 milliliters
17 of urine.

18 Alcohol tests administered within 2 hours of the driver
19 being "stopped or detained" shall be considered that driver's
20 "alcohol concentration" for the purposes of enforcing this
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12 driver's license downgrade" or "CDL downgrade" means either:

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20 qualifies under that state's physical qualification
21 requirements for intrastate only;

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23 certification to intrastate, but operating exclusively in
24 transportation or operations excepted from all or part of
25 the state driver qualification requirements; or

26 (D) a state removes the CDL privilege from the driver

1 license.

2 (6) Commercial Motor Vehicle.

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4 vehicle or combination of motor vehicles used in commerce,
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6 transport passengers or property if the motor vehicle:

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8 combination weight of 11,794 kilograms or more (26,001
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10 any towed unit with a gross vehicle weight rating or
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12 (10,000 pounds), whichever is greater; or

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14 vehicle weight of 11,794 or more kilograms (26,001
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16 (ii) is designed to transport 16 or more persons,
17 including the driver; or

18 (iii) is of any size and is used in transporting
19 hazardous materials as defined in 49 C.F.R. 383.5.

20 (B) Pursuant to the interpretation of the Commercial
21 Motor Vehicle Safety Act of 1986 by the Federal Highway
22 Administration, the definition of "commercial motor
23 vehicle" does not include:

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25 for personal use;

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1 direction of the United States Department of Defense
2 or the United States Coast Guard only when operated by
3 non-civilian personnel. This includes any operator on
4 active military duty; members of the Reserves;
5 National Guard; personnel on part-time training; and
6 National Guard military technicians (civilians who are
7 required to wear military uniforms and are subject to
8 the Code of Military Justice); or

9 (iii) firefighting, police, and other emergency
10 equipment (including, without limitation, equipment
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21 a CLP.

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24 training" means the training an entry-level driver receives
25 from an entity listed on the Federal Motor Carrier Safety
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2 Class B CDL for the first time; (ii) taking the CDL skills test
3 required to upgrade to a Class A or Class B CDL; or (iii)
4 taking the CDL skills test required to obtain a passenger or
5 school bus endorsement for the first time or the CDL knowledge
6 test required to obtain a hazardous materials endorsement for
7 the first time.

8 (15.3) Excepted interstate. "Excepted interstate" means a
9 person who operates or expects to operate in interstate
10 commerce, but engages exclusively in transportation or
11 operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68,
12 or 398.3 from all or part of the qualification requirements of
13 49 C.F.R. Part 391 and is not required to obtain a medical
14 examiner's certificate by 49 C.F.R. 391.45.

15 (15.5) Excepted intrastate. "Excepted intrastate" means a
16 person who operates in intrastate commerce but engages
17 exclusively in transportation or operations excepted from all
18 or parts of the state driver qualification requirements.

19 (16) (Blank).

20 (16.5) Fatality. "Fatality" means the death of a person as
21 a result of a motor vehicle crash.

22 (16.7) Foreign commercial driver. "Foreign commercial
23 driver" means a person licensed to operate a commercial motor
24 vehicle by an authority outside the United States, or a
25 citizen of a foreign country who operates a commercial motor
26 vehicle in the United States.

1 (17) Foreign jurisdiction. "Foreign jurisdiction" means a
2 sovereign jurisdiction that does not fall within the
3 definition of "State".

4 (18) (Blank).

5 (19) (Blank).

6 (20) Hazardous materials. "Hazardous material" means any
7 material that has been designated under 49 U.S.C. 5103 and is
8 required to be placarded under subpart F of 49 C.F.R. part 172
9 or any quantity of a material listed as a select agent or toxin
10 in 42 C.F.R. part 73.

11 (20.5) Imminent Hazard. "Imminent hazard" means the
12 existence of any condition of a vehicle, employee, or
13 commercial motor vehicle operations that substantially
14 increases the likelihood of serious injury or death if not
15 discontinued immediately; or a condition relating to hazardous
16 material that presents a substantial likelihood that death,
17 serious illness, severe personal injury, or a substantial
18 endangerment to health, property, or the environment may occur
19 before the reasonably foreseeable completion date of a formal
20 proceeding begun to lessen the risk of that death, illness,
21 injury or endangerment.

22 (20.6) Issuance. "Issuance" means initial issuance,
23 transfer, renewal, or upgrade of a CLP or CDL and
24 non-domiciled CLP or CDL.

25 (20.7) Issue. "Issue" means initial issuance, transfer,
26 renewal, or upgrade of a CLP or CDL and non-domiciled CLP or

1 non-domiciled CDL.

2 (21) Long-term lease. "Long-term lease" means a lease of a
3 commercial motor vehicle by the owner-lessor to a lessee, for
4 a period of more than 29 days.

5 (21.01) Manual transmission. "Manual transmission" means a
6 transmission utilizing a driver-operated clutch that is
7 activated by a pedal or lever and a gear-shift mechanism
8 operated either by hand or foot including those known as a
9 stick shift, stick, straight drive, or standard transmission.
10 All other transmissions, whether semi-automatic or automatic,
11 shall be considered automatic for the purposes of the
12 standardized restriction code.

13 (21.1) Medical examiner. "Medical examiner" means an
14 individual certified by the Federal Motor Carrier Safety
15 Administration and listed on the National Registry of
16 Certified Medical Examiners in accordance with Federal Motor
17 Carrier Safety Regulations, 49 CFR 390.101 et seq.

18 (21.2) Medical examiner's certificate. "Medical examiner's
19 certificate" means either (1) prior to June 22, 2021, a
20 document prescribed or approved by the Secretary of State that
21 is issued by a medical examiner to a driver to medically
22 qualify him or her to drive; or (2) beginning June 22, 2021, an
23 electronic submission of results of an examination conducted
24 by a medical examiner listed on the National Registry of
25 Certified Medical Examiners to the Federal Motor Carrier
26 Safety Administration of a driver to medically qualify him or

1 her to drive.

2 (21.5) Medical variance. "Medical variance" means a driver
3 has received one of the following from the Federal Motor
4 Carrier Safety Administration which allows the driver to be
5 issued a medical certificate: (1) an exemption letter
6 permitting operation of a commercial motor vehicle pursuant to
7 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a
8 skill performance evaluation (SPE) certificate permitting
9 operation of a commercial motor vehicle pursuant to 49 C.F.R.
10 391.49.

11 (21.7) Mobile telephone. "Mobile telephone" means a mobile
12 communication device that falls under or uses any commercial
13 mobile radio service, as defined in regulations of the Federal
14 Communications Commission, 47 CFR 20.3. It does not include
15 two-way or citizens band radio services.

16 (22) Motor Vehicle. "Motor vehicle" means every vehicle
17 which is self-propelled, and every vehicle which is propelled
18 by electric power obtained from over head trolley wires but
19 not operated upon rails, except vehicles moved solely by human
20 power and motorized wheel chairs.

21 (22.2) Motor vehicle record. "Motor vehicle record" means
22 a report of the driving status and history of a driver
23 generated from the driver record provided to users, such as
24 drivers or employers, and is subject to the provisions of the
25 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

26 (22.5) Non-CMV. "Non-CMV" means a motor vehicle or

1 combination of motor vehicles not defined by the term
2 "commercial motor vehicle" or "CMV" in this Section.

3 (22.7) Non-excepted interstate. "Non-excepted interstate"
4 means a person who operates or expects to operate in
5 interstate commerce, is subject to and meets the qualification
6 requirements under 49 C.F.R. Part 391, and is required to
7 obtain a medical examiner's certificate by 49 C.F.R. 391.45.

8 (22.8) Non-excepted intrastate. "Non-excepted intrastate"
9 means a person who operates only in intrastate commerce and is
10 subject to State driver qualification requirements.

11 (23) Non-domiciled CLP or Non-domiciled CDL.
12 "Non-domiciled CLP" or "Non-domiciled CDL" means a CLP or CDL,
13 respectively, issued by a state or other jurisdiction under
14 either of the following two conditions:

15 (i) to an individual domiciled in a foreign country
16 meeting the requirements of Part 383.23(b)(1) of 49 C.F.R.
17 of the Federal Motor Carrier Safety Administration.

18 (ii) to an individual domiciled in another state
19 meeting the requirements of Part 383.23(b)(2) of 49 C.F.R.
20 of the Federal Motor Carrier Safety Administration.

21 (24) (Blank).

22 (25) (Blank).

23 (25.5) Railroad-Highway Grade Crossing Violation.
24 "Railroad-highway grade crossing violation" means a violation,
25 while operating a commercial motor vehicle, of any of the
26 following:

1 (A) Section 11-1201, 11-1202, or 11-1425 of this Code.

2 (B) Any other similar law or local ordinance of any
3 state relating to railroad-highway grade crossing.

4 (25.7) School Bus. "School bus" means a commercial motor
5 vehicle used to transport pre-primary, primary, or secondary
6 school students from home to school, from school to home, or to
7 and from school-sponsored events. "School bus" does not
8 include a bus used as a common carrier.

9 (26) Serious Traffic Violation. "Serious traffic
10 violation" means:

11 (A) a conviction when operating a commercial motor
12 vehicle, or when operating a non-CMV while holding a CLP
13 or CDL, of:

14 (i) a violation relating to excessive speeding,
15 involving a single speeding charge of 15 miles per
16 hour or more above the legal speed limit; or

17 (ii) a violation relating to reckless driving; or

18 (iii) a violation of any State law or local
19 ordinance relating to motor vehicle traffic control
20 (other than parking violations) arising in connection
21 with a fatal traffic crash; or

22 (iv) a violation of Section 6-501, relating to
23 having multiple driver's licenses; or

24 (v) a violation of paragraph (a) of Section 6-507,
25 relating to the requirement to have a valid CLP or CDL;

26 or

1 (vi) a violation relating to improper or erratic
2 traffic lane changes; or

3 (vii) a violation relating to following another
4 vehicle too closely; or

5 (viii) a violation relating to texting while
6 driving; or

7 (ix) a violation relating to the use of a
8 hand-held mobile telephone while driving; or

9 (B) any other similar violation of a law or local
10 ordinance of any state relating to motor vehicle traffic
11 control, other than a parking violation, which the
12 Secretary of State determines by administrative rule to be
13 serious.

14 (27) State. "State" means a state of the United States,
15 the District of Columbia and any province or territory of
16 Canada.

17 (28) (Blank).

18 (29) (Blank).

19 (30) (Blank).

20 (31) (Blank).

21 (32) Texting. "Texting" means manually entering
22 alphanumeric text into, or reading text from, an electronic
23 device.

24 (1) Texting includes, but is not limited to, short
25 message service, emailing, instant messaging, a command or
26 request to access a World Wide Web page, pressing more

1 than a single button to initiate or terminate a voice
2 communication using a mobile telephone, or engaging in any
3 other form of electronic text retrieval or entry for
4 present or future communication.

5 (2) Texting does not include:

6 (i) inputting, selecting, or reading information
7 on a global positioning system or navigation system;
8 or

9 (ii) pressing a single button to initiate or
10 terminate a voice communication using a mobile
11 telephone; or

12 (iii) using a device capable of performing
13 multiple functions (for example, a fleet management
14 system, dispatching device, smart phone, citizens band
15 radio, or music player) for a purpose that is not
16 otherwise prohibited by Part 392 of the Federal Motor
17 Carrier Safety Regulations.

18 (32.3) Third party skills test examiner. "Third party
19 skills test examiner" means a person employed by a third party
20 tester who is authorized by the State to administer the CDL
21 skills tests specified in 49 C.F.R. Part 383, subparts G and H.

22 (32.5) Third party tester. "Third party tester" means a
23 person (including, but not limited to, another state, a motor
24 carrier, a private driver training facility or other private
25 institution, or a department, agency, or instrumentality of a
26 local government) authorized by the State to employ skills

1 test examiners to administer the CDL skills tests specified in
2 49 C.F.R. Part 383, subparts G and H.

3 (32.7) United States. "United States" means the 50 states
4 and the District of Columbia.

5 (33) Use a hand-held mobile telephone. "Use a hand-held
6 mobile telephone" means:

7 (1) using at least one hand to hold a mobile telephone
8 to conduct a voice communication;

9 (2) dialing or answering a mobile telephone by
10 pressing more than a single button; or

11 (3) reaching for a mobile telephone in a manner that
12 requires a driver to maneuver so that he or she is no
13 longer in a seated driving position, restrained by a seat
14 belt that is installed in accordance with 49 CFR 393.93
15 and adjusted in accordance with the vehicle manufacturer's
16 instructions.

17 (Source: P.A. 101-185, eff. 1-1-20; 101-652, eff. 1-1-23;
18 102-982, eff. 7-1-23; 102-1104, eff. 1-1-23.)

19 (625 ILCS 5/6-507.5)

20 Sec. 6-507.5. Application for Commercial Learner's Permit
21 (CLP).

22 (a) The application for a CLP must include, but is not
23 limited to, the following:

24 (1) the driver applicant's full legal name and current
25 Illinois domiciliary address, unless the driver applicant

1 is from a foreign country and is applying for a
2 non-domiciled CLP in which case the driver applicant shall
3 submit proof of Illinois residency or the driver applicant
4 is from another state and is applying for a non-domiciled
5 CLP in which case the driver applicant shall submit proof
6 of domicile in the state which issued the driver
7 applicant's Non-CDL;

8 (2) a physical description of the driver applicant
9 including gender, height, weight, color of eyes, and hair
10 color;

11 (3) date of birth;

12 (4) the driver applicant's social security number;

13 (5) the driver applicant's signature;

14 (6) the names of all states where the driver applicant
15 has previously been licensed to drive any type of motor
16 vehicle during the previous 10 years under 49 C.F.R. Part
17 383;

18 (7) proof of citizenship or lawful permanent residency
19 as set forth in Table 1 of 49 C.F.R. 383.71, unless the
20 driver applicant is from a foreign country and is applying
21 for a non-domiciled CLP, in which case the applicant must
22 provide an unexpired employment authorization document
23 (EAD) issued by USCIS or an unexpired foreign passport
24 accompanied by an approved I-94 form documenting the
25 applicant's most recent admittance into the United States;
26 and

1 (8) any other information required by the Secretary of
2 State.

3 (b) Except as provided in subsection (b-5), no CLP shall
4 be issued to a driver applicant unless the applicant has taken
5 and passed a general knowledge test that meets the federal
6 standards contained in 49 C.F.R. Part 383, subparts F, G, and H
7 for the commercial motor vehicle the applicant expects to
8 operate.

9 (b-5) The Secretary of State may waive the general
10 knowledge test specified in 49 CFR 383.71(a)(2)(ii) for a
11 qualifying driver applicant of a commercial learner's permit.
12 A qualifying driver applicant shall:

13 (1) be a current resident of this State;

14 (2) be a current or former member of the military
15 services, including a member of any reserve component or
16 National Guard unit;

17 (3) within one year prior to the application, have
18 been regularly employed in a military position that
19 requires the operation of large trucks;

20 (4) have received formal military training in the
21 operation of a vehicle similar to the commercial motor
22 vehicle the applicant expects to operate; and

23 (5) provide the Secretary of State with a general
24 knowledge test waiver form signed by the applicant and his
25 or her commanding officer certifying that the applicant
26 qualifies for the general knowledge test waiver.

1 (c) No CLP shall be issued to a driver applicant unless the
2 applicant possesses a valid Illinois driver's license or if
3 the applicant is applying for a non-domiciled CLP under
4 subsection (b) of Section 6-509 of this Code, in which case the
5 driver applicant must possess a valid driver's license from
6 his or her state of domicile.

7 (d) No CLP shall be issued to a person under 18 years of
8 age.

9 (e) No person shall be issued a CLP unless the person
10 certifies to the Secretary one of the following types of
11 driving operations in which he or she will be engaged:

12 (1) non-excepted interstate;

13 (2) non-excepted intrastate;

14 (3) excepted interstate; or

15 (4) excepted intrastate.

16 (f) No person shall be issued a CLP unless the person
17 certifies to the Secretary that he or she is not subject to any
18 disqualification under 49 C.F.R. 383.51, or any license
19 disqualification under State law, and that he or she does not
20 have a driver's license from more than one state or
21 jurisdiction.

22 (g) No CLP shall be issued to a person while the person is
23 subject to a disqualification from driving a commercial motor
24 vehicle, unless otherwise permitted by this Code, while the
25 person's driver's license is suspended, revoked, or cancelled
26 in any state, or any territory or province of Canada; nor may a

1 CLP be issued to a person who has a CLP or CDL issued by any
2 other state or foreign jurisdiction, unless the person
3 surrenders all of these licenses. No CLP shall be issued to or
4 renewed for a person who does not meet the requirement of 49
5 C.F.R. 391.41(b)(11). The requirement may be met with the aid
6 of a hearing aid.

7 (h) No CLP with a Passenger, School Bus or Tank Vehicle
8 endorsement shall be issued to a person unless the driver
9 applicant has taken and passed the knowledge test for each
10 endorsement.

11 (1) A CLP holder with a Passenger (P) endorsement is
12 prohibited from operating a CMV carrying passengers, other
13 than federal or State auditors and inspectors, test
14 examiners, or other trainees, and the CDL holder
15 accompanying the CLP holder as prescribed by subsection
16 (a) of Section 6-507 of this Code. The P endorsement must
17 be class specific.

18 (2) A CLP holder with a School Bus (S) endorsement is
19 prohibited from operating a school bus with passengers
20 other than federal or State auditors and inspectors, test
21 examiners, or other trainees, and the CDL holder
22 accompanying the CLP holder as prescribed by subsection
23 (a) of Section 6-507 of this Code.

24 (3) A CLP holder with a Tank Vehicle (N) endorsement
25 may only operate an empty tank vehicle and is prohibited
26 from operating any tank vehicle that previously contained

1 hazardous material that has not been purged of all
2 residue.

3 (4) All other federal endorsements are prohibited on a
4 CLP.

5 (i) No CLP holder may operate a commercial motor vehicle
6 transporting hazardous material as defined in paragraph (20)
7 of Section 6-500 of this Code.

8 (j) The CLP holder must be accompanied by the holder of a
9 valid CDL who has the proper CDL group and endorsement
10 necessary to operate the CMV. The CDL holder must at all times
11 be physically present in the front seat of the vehicle next to
12 the CLP holder or, in the case of a passenger vehicle, directly
13 behind or in the first row behind the driver and must have the
14 CLP holder under observation and direct supervision.

15 (k) A CLP is valid for 12 months ~~180 days~~ from the date of
16 issuance. ~~A CLP may be renewed for an additional 180 days~~
17 ~~without requiring the CLP holder to retake the general and~~
18 ~~endorsement knowledge tests.~~

19 (l) A CLP issued prior to July 1, 2014 for a limited time
20 period according to state requirements, shall be considered a
21 valid commercial driver's license for purposes of
22 behind-the-wheel training on public roads or highways.

23 (Source: P.A. 100-223, eff. 8-18-17.)

24 (625 ILCS 5/6-508.5 new)

25 Sec. 6-508.5. Drug and alcohol clearinghouse.

1 (a) No driver who has engaged in conduct prohibited by
2 subpart B of 49 CFR 382 shall perform safety-sensitive
3 functions, including driving a commercial motor vehicle,
4 unless the driver has met the return to duty requirements of
5 subpart O of 49 CFR 40 and, if the driver's CDL or CLP was
6 canceled, has had the CDL or CLP reinstated.

7 (b) By applying for a CDL or CLP, a driver is deemed to
8 have consented to the release of information from the drug and
9 alcohol clearinghouse to the Secretary of State.

10 (c) No later than November 18, 2024, the Secretary shall
11 request information from the drug and alcohol clearinghouse
12 for all applicants applying for an initial, renewal, transfer,
13 or upgraded CDL or CLP. If the Secretary receives notification
14 that pursuant to 49 CFR 382.503 the applicant is prohibited
15 from operating a commercial motor vehicle, the Secretary shall
16 not issue, renew, transfer, or upgrade a CDL or CLP.

17 (d) No later than November 18, 2024, the Secretary must,
18 upon receiving notification from the drug and alcohol
19 clearinghouse that a holder of a CDL or CLP is prohibited from
20 operating a commercial motor vehicle, cancel the CDL or CLP.
21 The cancellation must be completed and recorded on the CDLIS
22 driver record within 60 days after the State's receipt of such
23 a notification. Upon notification from the Federal Motor
24 Carrier Safety Administration that a driver has completed the
25 return-to-duty process, the Secretary may reinstate the
26 driver's CDL or CLP privileges.

1 (e) Upon notification from the Federal Motor Carrier
2 Safety Administration that a violation was entered into the
3 drug and alcohol clearinghouse erroneously, the Secretary
4 shall reinstate the driver's CDL or CLP privileges and remove
5 the cancellation from the driving record.

6 (625 ILCS 5/6-514)

7 (Text of Section before amendment by P.A. 102-982)

8 Sec. 6-514. Commercial driver's license (CDL); commercial
9 learner's permit (CLP); disqualifications.

10 (a) A person shall be disqualified from driving a
11 commercial motor vehicle for a period of not less than 12
12 months for the first violation of:

13 (1) Refusing to submit to or failure to complete a
14 test or tests to determine the driver's blood
15 concentration of alcohol, other drug, or both while
16 driving a commercial motor vehicle or, if the driver is a
17 CLP or CDL holder, while driving a non-CMV; or

18 (2) Operating a commercial motor vehicle while the
19 alcohol concentration of the person's blood, breath, other
20 bodily substance, or urine is at least 0.04, or any amount
21 of a drug, substance, or compound in the person's blood,
22 other bodily substance, or urine resulting from the
23 unlawful use or consumption of cannabis listed in the
24 Cannabis Control Act, a controlled substance listed in the
25 Illinois Controlled Substances Act, or methamphetamine as

1 listed in the Methamphetamine Control and Community
2 Protection Act as indicated by a police officer's sworn
3 report or other verified evidence; or operating a
4 non-commercial motor vehicle while the alcohol
5 concentration of the person's blood, breath, other bodily
6 substance, or urine was above the legal limit defined in
7 Section 11-501.1 or 11-501.8 or any amount of a drug,
8 substance, or compound in the person's blood, other bodily
9 substance, or urine resulting from the unlawful use or
10 consumption of cannabis listed in the Cannabis Control
11 Act, a controlled substance listed in the Illinois
12 Controlled Substances Act, or methamphetamine as listed in
13 the Methamphetamine Control and Community Protection Act
14 as indicated by a police officer's sworn report or other
15 verified evidence while holding a CLP or CDL; or

16 (3) Conviction for a first violation of:

17 (i) Driving a commercial motor vehicle or, if the
18 driver is a CLP or CDL holder, driving a non-CMV while
19 under the influence of alcohol, or any other drug, or
20 combination of drugs to a degree which renders such
21 person incapable of safely driving; or

22 (ii) Knowingly leaving the scene of an accident
23 while operating a commercial motor vehicle or, if the
24 driver is a CLP or CDL holder, while driving a non-CMV;
25 or

26 (iii) Driving a commercial motor vehicle or, if

1 the driver is a CLP or CDL holder, driving a non-CMV
2 while committing any felony; or

3 (iv) Driving a commercial motor vehicle while the
4 person's driving privileges or driver's license or
5 permit is revoked, suspended, or cancelled or the
6 driver is disqualified from operating a commercial
7 motor vehicle; or

8 (v) Causing a fatality through the negligent
9 operation of a commercial motor vehicle, including but
10 not limited to the crimes of motor vehicle
11 manslaughter, homicide by a motor vehicle, and
12 negligent homicide.

13 As used in this subdivision (a)(3)(v), "motor
14 vehicle manslaughter" means the offense of involuntary
15 manslaughter if committed by means of a vehicle;
16 "homicide by a motor vehicle" means the offense of
17 first degree murder or second degree murder, if either
18 offense is committed by means of a vehicle; and
19 "negligent homicide" means reckless homicide under
20 Section 9-3 of the Criminal Code of 1961 or the
21 Criminal Code of 2012 and aggravated driving under the
22 influence of alcohol, other drug or drugs,
23 intoxicating compound or compounds, or any combination
24 thereof under subdivision (d)(1)(F) of Section 11-501
25 of this Code.

26 If any of the above violations or refusals occurred

1 while transporting hazardous material(s) required to be
2 placarded, the person shall be disqualified for a period
3 of not less than 3 years; or

4 (4) (Blank).

5 (b) A person is disqualified for life for a second
6 conviction of any of the offenses specified in paragraph (a),
7 or any combination of those offenses, arising from 2 or more
8 separate incidents.

9 (c) A person is disqualified from driving a commercial
10 motor vehicle for life if the person either (i) uses a
11 commercial motor vehicle in the commission of any felony
12 involving the manufacture, distribution, or dispensing of a
13 controlled substance, or possession with intent to
14 manufacture, distribute or dispense a controlled substance or
15 (ii) if the person is a CLP or CDL holder, uses a non-CMV in
16 the commission of a felony involving any of those activities.

17 (d) The Secretary of State may, when the United States
18 Secretary of Transportation so authorizes, issue regulations
19 in which a disqualification for life under paragraph (b) may
20 be reduced to a period of not less than 10 years. If a
21 reinstated driver is subsequently convicted of another
22 disqualifying offense, as specified in subsection (a) of this
23 Section, he or she shall be permanently disqualified for life
24 and shall be ineligible to again apply for a reduction of the
25 lifetime disqualification.

26 (e) A person is disqualified from driving a commercial

1 motor vehicle for a period of not less than 2 months if
2 convicted of 2 serious traffic violations, committed in a
3 commercial motor vehicle, non-CMV while holding a CLP or CDL,
4 or any combination thereof, arising from separate incidents,
5 occurring within a 3-year period, provided the serious traffic
6 violation committed in a non-CMV would result in the
7 suspension or revocation of the CLP or CDL holder's non-CMV
8 privileges. However, a person will be disqualified from
9 driving a commercial motor vehicle for a period of not less
10 than 4 months if convicted of 3 serious traffic violations,
11 committed in a commercial motor vehicle, non-CMV while holding
12 a CLP or CDL, or any combination thereof, arising from
13 separate incidents, occurring within a 3-year period, provided
14 the serious traffic violation committed in a non-CMV would
15 result in the suspension or revocation of the CLP or CDL
16 holder's non-CMV privileges. If all the convictions occurred
17 in a non-CMV, the disqualification shall be entered only if
18 the convictions would result in the suspension or revocation
19 of the CLP or CDL holder's non-CMV privileges.

20 (e-1) (Blank).

21 (f) Notwithstanding any other provision of this Code, any
22 driver disqualified from operating a commercial motor vehicle,
23 pursuant to this UCDLA, shall not be eligible for restoration
24 of commercial driving privileges during any such period of
25 disqualification.

26 (g) After suspending, revoking, or cancelling a CLP or

1 CDL, the Secretary of State must update the driver's records
2 to reflect such action within 10 days. After suspending or
3 revoking the driving privilege of any person who has been
4 issued a CLP or CDL from another jurisdiction, the Secretary
5 shall originate notification to such issuing jurisdiction
6 within 10 days.

7 (h) The "disqualifications" referred to in this Section
8 shall not be imposed upon any commercial motor vehicle driver,
9 by the Secretary of State, unless the prohibited action(s)
10 occurred after March 31, 1992.

11 (i) A person is disqualified from driving a commercial
12 motor vehicle in accordance with the following:

13 (1) For 6 months upon a first conviction of paragraph
14 (2) of subsection (b) or subsection (b-3) of Section 6-507
15 of this Code.

16 (2) For 2 years upon a second conviction of paragraph
17 (2) of subsection (b) or subsection (b-3) or any
18 combination of paragraphs (2) or (3) of subsection (b) or
19 subsections (b-3) or (b-5) of Section 6-507 of this Code
20 within a 10-year period if the second conviction is a
21 violation of paragraph (2) of subsection (b) or subsection
22 (b-3).

23 (3) For 3 years upon a third or subsequent conviction
24 of paragraph (2) of subsection (b) or subsection (b-3) or
25 any combination of paragraphs (2) or (3) of subsection (b)
26 or subsections (b-3) or (b-5) of Section 6-507 of this

1 Code within a 10-year period if the third or subsequent
2 conviction is a violation of paragraph (2) of subsection
3 (b) or subsection (b-3).

4 (4) For one year upon a first conviction of paragraph
5 (3) of subsection (b) or subsection (b-5) of Section 6-507
6 of this Code.

7 (5) For 3 years upon a second conviction of paragraph
8 (3) of subsection (b) or subsection (b-5) or any
9 combination of paragraphs (2) or (3) of subsection (b) or
10 subsections (b-3) or (b-5) of Section 6-507 of this Code
11 within a 10-year period if the second conviction is a
12 violation of paragraph (3) of subsection (b) or (b-5).

13 (6) For 5 years upon a third or subsequent conviction
14 of paragraph (3) of subsection (b) or subsection (b-5) or
15 any combination of paragraphs (2) or (3) of subsection (b)
16 or subsections (b-3) or (b-5) of Section 6-507 of this
17 Code within a 10-year period if the third or subsequent
18 conviction is a violation of paragraph (3) of subsection
19 (b) or (b-5).

20 (j) Disqualification for railroad-highway grade crossing
21 violation.

22 (1) General rule. A driver who is convicted of a
23 violation of a federal, State, or local law or regulation
24 pertaining to one of the following 6 offenses at a
25 railroad-highway grade crossing must be disqualified from
26 operating a commercial motor vehicle for the period of

1 time specified in paragraph (2) of this subsection (j) if
2 the offense was committed while operating a commercial
3 motor vehicle:

4 (i) For drivers who are not required to always
5 stop, failing to slow down and check that the tracks
6 are clear of an approaching train or railroad track
7 equipment, as described in subsection (a-5) of Section
8 11-1201 of this Code;

9 (ii) For drivers who are not required to always
10 stop, failing to stop before reaching the crossing, if
11 the tracks are not clear, as described in subsection
12 (a-1) ~~(a)~~ of Section 11-1201 of this Code;

13 (iii) For drivers who are always required to stop,
14 failing to stop before driving onto the crossing, as
15 described in subsection (a-1) of Section 11-1202 of
16 this Code;

17 (iv) For all drivers, failing to have sufficient
18 space to drive completely through the crossing without
19 stopping, as described in subsection (b-5) ~~(b)~~ of
20 Section 11-1425 of this Code;

21 (v) For all drivers, failing to obey a traffic
22 control device or the directions of an enforcement
23 official at the crossing, as described in subdivision
24 (2) of subsection (a-1) ~~(a)2~~ of Section 11-1201 of
25 this Code;

26 (vi) For all drivers, failing to negotiate a

1 crossing because of insufficient undercarriage
2 clearance, as described in subsection (d-1) of Section
3 11-1201 of this Code.

4 (2) Duration of disqualification for railroad-highway
5 grade crossing violation.

6 (i) First violation. A driver must be disqualified
7 from operating a commercial motor vehicle for not less
8 than 60 days if the driver is convicted of a violation
9 described in paragraph (1) of this subsection (j) and,
10 in the three-year period preceding the conviction, the
11 driver had no convictions for a violation described in
12 paragraph (1) of this subsection (j).

13 (ii) Second violation. A driver must be
14 disqualified from operating a commercial motor vehicle
15 for not less than 120 days if the driver is convicted
16 of a violation described in paragraph (1) of this
17 subsection (j) and, in the three-year period preceding
18 the conviction, the driver had one other conviction
19 for a violation described in paragraph (1) of this
20 subsection (j) that was committed in a separate
21 incident.

22 (iii) Third or subsequent violation. A driver must
23 be disqualified from operating a commercial motor
24 vehicle for not less than one year if the driver is
25 convicted of a violation described in paragraph (1) of
26 this subsection (j) and, in the three-year period

1 preceding the conviction, the driver had 2 or more
2 other convictions for violations described in
3 paragraph (1) of this subsection (j) that were
4 committed in separate incidents.

5 (k) Upon notification of a disqualification of a driver's
6 commercial motor vehicle privileges imposed by the U.S.
7 Department of Transportation, Federal Motor Carrier Safety
8 Administration, in accordance with 49 CFR 383.52, the
9 Secretary of State shall immediately record to the driving
10 record the notice of disqualification and confirm to the
11 driver the action that has been taken.

12 (l) A foreign commercial driver is subject to
13 disqualification under this Section.

14 (m) A person shall be disqualified from operating a
15 commercial motor vehicle for life if that individual uses a
16 commercial motor vehicle in the commission of a felony
17 involving an act or practice of severe forms of human
18 trafficking, as defined in 22 U.S.C. 7102(11).

19 (Source: P.A. 102-749, eff. 1-1-23.)

20 (Text of Section after amendment by P.A. 102-982)

21 Sec. 6-514. Commercial driver's license (CDL); commercial
22 learner's permit (CLP); disqualifications.

23 (a) A person shall be disqualified from driving a
24 commercial motor vehicle for a period of not less than 12
25 months for the first violation of:

1 (1) Refusing to submit to or failure to complete a
2 test or tests to determine the driver's blood
3 concentration of alcohol, other drug, or both while
4 driving a commercial motor vehicle or, if the driver is a
5 CLP or CDL holder, while driving a non-CMV; or

6 (2) Operating a commercial motor vehicle while the
7 alcohol concentration of the person's blood, breath, other
8 bodily substance, or urine is at least 0.04, or any amount
9 of a drug, substance, or compound in the person's blood,
10 other bodily substance, or urine resulting from the
11 unlawful use or consumption of cannabis listed in the
12 Cannabis Control Act, a controlled substance listed in the
13 Illinois Controlled Substances Act, or methamphetamine as
14 listed in the Methamphetamine Control and Community
15 Protection Act as indicated by a police officer's sworn
16 report or other verified evidence; or operating a
17 non-commercial motor vehicle while the alcohol
18 concentration of the person's blood, breath, other bodily
19 substance, or urine was above the legal limit defined in
20 Section 11-501.1 or 11-501.8 or any amount of a drug,
21 substance, or compound in the person's blood, other bodily
22 substance, or urine resulting from the unlawful use or
23 consumption of cannabis listed in the Cannabis Control
24 Act, a controlled substance listed in the Illinois
25 Controlled Substances Act, or methamphetamine as listed in
26 the Methamphetamine Control and Community Protection Act

1 as indicated by a police officer's sworn report or other
2 verified evidence while holding a CLP or CDL; or

3 (3) Conviction for a first violation of:

4 (i) Driving a commercial motor vehicle or, if the
5 driver is a CLP or CDL holder, driving a non-CMV while
6 under the influence of alcohol, or any other drug, or
7 combination of drugs to a degree which renders such
8 person incapable of safely driving; or

9 (ii) Knowingly leaving the scene of a crash while
10 operating a commercial motor vehicle or, if the driver
11 is a CLP or CDL holder, while driving a non-CMV; or

12 (iii) Driving a commercial motor vehicle or, if
13 the driver is a CLP or CDL holder, driving a non-CMV
14 while committing any felony; or

15 (iv) Driving a commercial motor vehicle while the
16 person's driving privileges or driver's license or
17 permit is revoked, suspended, or cancelled or the
18 driver is disqualified from operating a commercial
19 motor vehicle; or

20 (v) Causing a fatality through the negligent
21 operation of a commercial motor vehicle, including but
22 not limited to the crimes of motor vehicle
23 manslaughter, homicide by a motor vehicle, and
24 negligent homicide.

25 As used in this subdivision (a)(3)(v), "motor
26 vehicle manslaughter" means the offense of involuntary

1 manslaughter if committed by means of a vehicle;
2 "homicide by a motor vehicle" means the offense of
3 first degree murder or second degree murder, if either
4 offense is committed by means of a vehicle; and
5 "negligent homicide" means reckless homicide under
6 Section 9-3 of the Criminal Code of 1961 or the
7 Criminal Code of 2012 and aggravated driving under the
8 influence of alcohol, other drug or drugs,
9 intoxicating compound or compounds, or any combination
10 thereof under subdivision (d)(1)(F) of Section 11-501
11 of this Code.

12 If any of the above violations or refusals occurred
13 while transporting hazardous material(s) required to be
14 placarded, the person shall be disqualified for a period
15 of not less than 3 years; or

16 (4) (Blank).

17 (b) A person is disqualified for life for a second
18 conviction of any of the offenses specified in paragraph (a),
19 or any combination of those offenses, arising from 2 or more
20 separate incidents.

21 (c) A person is disqualified from driving a commercial
22 motor vehicle for life if the person either (i) uses a
23 commercial motor vehicle in the commission of any felony
24 involving the manufacture, distribution, or dispensing of a
25 controlled substance, or possession with intent to
26 manufacture, distribute or dispense a controlled substance or

1 (ii) if the person is a CLP or CDL holder, uses a non-CMV in
2 the commission of a felony involving any of those activities.

3 (d) The Secretary of State may, when the United States
4 Secretary of Transportation so authorizes, issue regulations
5 in which a disqualification for life under paragraph (b) may
6 be reduced to a period of not less than 10 years. If a
7 reinstated driver is subsequently convicted of another
8 disqualifying offense, as specified in subsection (a) of this
9 Section, he or she shall be permanently disqualified for life
10 and shall be ineligible to again apply for a reduction of the
11 lifetime disqualification.

12 (e) A person is disqualified from driving a commercial
13 motor vehicle for a period of not less than 2 months if
14 convicted of 2 serious traffic violations, committed in a
15 commercial motor vehicle, non-CMV while holding a CLP or CDL,
16 or any combination thereof, arising from separate incidents,
17 occurring within a 3-year period, provided the serious traffic
18 violation committed in a non-CMV would result in the
19 suspension or revocation of the CLP or CDL holder's non-CMV
20 privileges. However, a person will be disqualified from
21 driving a commercial motor vehicle for a period of not less
22 than 4 months if convicted of 3 serious traffic violations,
23 committed in a commercial motor vehicle, non-CMV while holding
24 a CLP or CDL, or any combination thereof, arising from
25 separate incidents, occurring within a 3-year period, provided
26 the serious traffic violation committed in a non-CMV would

1 result in the suspension or revocation of the CLP or CDL
2 holder's non-CMV privileges. If all the convictions occurred
3 in a non-CMV, the disqualification shall be entered only if
4 the convictions would result in the suspension or revocation
5 of the CLP or CDL holder's non-CMV privileges.

6 (e-1) (Blank).

7 (f) Notwithstanding any other provision of this Code, any
8 driver disqualified from operating a commercial motor vehicle,
9 pursuant to this UCDLA, shall not be eligible for restoration
10 of commercial driving privileges during any such period of
11 disqualification.

12 (g) After suspending, revoking, or cancelling a CLP or
13 CDL, the Secretary of State must update the driver's records
14 to reflect such action within 10 days. After suspending or
15 revoking the driving privilege of any person who has been
16 issued a CLP or CDL from another jurisdiction, the Secretary
17 shall originate notification to such issuing jurisdiction
18 within 10 days.

19 (h) The "disqualifications" referred to in this Section
20 shall not be imposed upon any commercial motor vehicle driver,
21 by the Secretary of State, unless the prohibited action(s)
22 occurred after March 31, 1992.

23 (i) A person is disqualified from driving a commercial
24 motor vehicle in accordance with the following:

25 (1) For 6 months upon a first conviction of paragraph

26 (2) of subsection (b) or subsection (b-3) of Section 6-507

1 of this Code.

2 (2) For 2 years upon a second conviction of paragraph
3 (2) of subsection (b) or subsection (b-3) or any
4 combination of paragraphs (2) or (3) of subsection (b) or
5 subsections (b-3) or (b-5) of Section 6-507 of this Code
6 within a 10-year period if the second conviction is a
7 violation of paragraph (2) of subsection (b) or subsection
8 (b-3).

9 (3) For 3 years upon a third or subsequent conviction
10 of paragraph (2) of subsection (b) or subsection (b-3) or
11 any combination of paragraphs (2) or (3) of subsection (b)
12 or subsections (b-3) or (b-5) of Section 6-507 of this
13 Code within a 10-year period if the third or subsequent
14 conviction is a violation of paragraph (2) of subsection
15 (b) or subsection (b-3).

16 (4) For one year upon a first conviction of paragraph
17 (3) of subsection (b) or subsection (b-5) of Section 6-507
18 of this Code.

19 (5) For 3 years upon a second conviction of paragraph
20 (3) of subsection (b) or subsection (b-5) or any
21 combination of paragraphs (2) or (3) of subsection (b) or
22 subsections (b-3) or (b-5) of Section 6-507 of this Code
23 within a 10-year period if the second conviction is a
24 violation of paragraph (3) of subsection (b) or (b-5).

25 (6) For 5 years upon a third or subsequent conviction
26 of paragraph (3) of subsection (b) or subsection (b-5) or

1 any combination of paragraphs (2) or (3) of subsection (b)
2 or subsections (b-3) or (b-5) of Section 6-507 of this
3 Code within a 10-year period if the third or subsequent
4 conviction is a violation of paragraph (3) of subsection
5 (b) or (b-5).

6 (j) Disqualification for railroad-highway grade crossing
7 violation.

8 (1) General rule. A driver who is convicted of a
9 violation of a federal, State, or local law or regulation
10 pertaining to one of the following 6 offenses at a
11 railroad-highway grade crossing must be disqualified from
12 operating a commercial motor vehicle for the period of
13 time specified in paragraph (2) of this subsection (j) if
14 the offense was committed while operating a commercial
15 motor vehicle:

16 (i) For drivers who are not required to always
17 stop, failing to slow down and check that the tracks
18 are clear of an approaching train or railroad track
19 equipment, as described in subsection (a-5) of Section
20 11-1201 of this Code;

21 (ii) For drivers who are not required to always
22 stop, failing to stop before reaching the crossing, if
23 the tracks are not clear, as described in subsection
24 (a-1) ~~(a)~~ of Section 11-1201 of this Code;

25 (iii) For drivers who are always required to stop,
26 failing to stop before driving onto the crossing, as

1 described in subsection (a-1) of Section 11-1202 of
2 this Code;

3 (iv) For all drivers, failing to have sufficient
4 space to drive completely through the crossing without
5 stopping, as described in subsection (b-5) ~~(b)~~ of
6 Section 11-1425 of this Code;

7 (v) For all drivers, failing to obey a traffic
8 control device or the directions of an enforcement
9 official at the crossing, as described in subdivision
10 (2) of subsection (a-1) ~~(a)2~~ of Section 11-1201 of
11 this Code;

12 (vi) For all drivers, failing to negotiate a
13 crossing because of insufficient undercarriage
14 clearance, as described in subsection (d-1) of Section
15 11-1201 of this Code.

16 (2) Duration of disqualification for railroad-highway
17 grade crossing violation.

18 (i) First violation. A driver must be disqualified
19 from operating a commercial motor vehicle for not less
20 than 60 days if the driver is convicted of a violation
21 described in paragraph (1) of this subsection (j) and,
22 in the three-year period preceding the conviction, the
23 driver had no convictions for a violation described in
24 paragraph (1) of this subsection (j).

25 (ii) Second violation. A driver must be
26 disqualified from operating a commercial motor vehicle

1 for not less than 120 days if the driver is convicted
2 of a violation described in paragraph (1) of this
3 subsection (j) and, in the three-year period preceding
4 the conviction, the driver had one other conviction
5 for a violation described in paragraph (1) of this
6 subsection (j) that was committed in a separate
7 incident.

8 (iii) Third or subsequent violation. A driver must
9 be disqualified from operating a commercial motor
10 vehicle for not less than one year if the driver is
11 convicted of a violation described in paragraph (1) of
12 this subsection (j) and, in the three-year period
13 preceding the conviction, the driver had 2 or more
14 other convictions for violations described in
15 paragraph (1) of this subsection (j) that were
16 committed in separate incidents.

17 (k) Upon notification of a disqualification of a driver's
18 commercial motor vehicle privileges imposed by the U.S.
19 Department of Transportation, Federal Motor Carrier Safety
20 Administration, in accordance with 49 CFR 383.52, the
21 Secretary of State shall immediately record to the driving
22 record the notice of disqualification and confirm to the
23 driver the action that has been taken.

24 (l) A foreign commercial driver is subject to
25 disqualification under this Section.

26 (m) A person shall be disqualified from operating a

1 commercial motor vehicle for life if that individual uses a
2 commercial motor vehicle in the commission of a felony
3 involving an act or practice of severe forms of human
4 trafficking, as defined in 22 U.S.C. 7102(11).

5 (Source: P.A. 102-749, eff. 1-1-23; 102-982, eff. 7-1-23;
6 revised 12-14-22.)

7 (625 ILCS 5/7-315) (from Ch. 95 1/2, par. 7-315)

8 Sec. 7-315. A certificate of insurance proof.

9 (a) Proof of financial responsibility may be made by
10 filing with the Secretary of State the ~~written or~~ electronic
11 certificate of any insurance carrier duly authorized to do
12 business in this State, certifying that it has issued to or for
13 the benefit of the person furnishing such proof and named as
14 the insured in a motor vehicle liability policy, a motor
15 vehicle liability policy or policies or in certain events an
16 operator's policy meeting the requirements of this Code and
17 that said policy or policies are then in full force and effect.
18 All ~~written or~~ electronic certificates must be submitted in a
19 manner satisfactory to the Secretary of State.

20 (b) Such certificate or certificates shall give the dates
21 of issuance and expiration of such policy or policies and
22 certify that the same shall not be canceled unless 15 days'
23 prior ~~written or~~ electronic notice thereof be given to the
24 Secretary of State and shall explicitly describe all motor
25 vehicles covered thereby unless the policy or policies are

1 issued to a person who is not the owner of a motor vehicle.

2 (c) The Secretary of State shall not accept any
3 certificate or certificates unless the same shall cover all
4 motor vehicles then registered in this State in the name of the
5 person furnishing such proof as owner and an additional
6 certificate or certificates shall be required as a condition
7 precedent to the subsequent registration of any motor vehicle
8 or motor vehicles in the name of the person giving such proof
9 as owner.

10 (Source: P.A. 94-239, eff. 1-1-06.)

11 (625 ILCS 5/7-318) (from Ch. 95 1/2, par. 7-318)

12 Sec. 7-318. Notice of cancellation or termination of
13 certified policy ~~Cancellation or Termination of Certified~~
14 ~~Policy~~. When an insurance carrier has certified a motor
15 vehicle liability policy or policies under this Act, it shall
16 notify the Secretary of State of any cancellation by
17 submitting an ~~mailing a written or~~ electronic notice at least
18 15 days prior to cancellation of such policy and the policy
19 shall continue in full force and effect until the date of
20 cancellation specified in such notice or until its expiration,
21 except that such a policy subsequently procured and certified
22 shall, on the effective date of its certification, terminate
23 the insurance previously certified with respect to any vehicle
24 designated in both certificates. All ~~written or~~ electronic
25 certificates must be submitted in a manner satisfactory to the

1 Secretary of State.

2 (Source: P.A. 94-239, eff. 1-1-06.)

3 (625 ILCS 5/11-1201) (from Ch. 95 1/2, par. 11-1201)

4 Sec. 11-1201. Obedience to signal indicating approach of
5 train or railroad track equipment.

6 (a) Whenever any person driving a vehicle approaches a
7 railroad grade crossing where the driver is not always
8 required to stop, the person must exercise due care and
9 caution as the existence of a railroad track across a highway
10 is a warning of danger, and under any of the circumstances
11 stated in this Section, the driver shall stop within 50 feet
12 but not less than 15 feet from the nearest rail of the railroad
13 and shall not proceed until the tracks are clear and he or she
14 can do so safely. The foregoing requirements shall apply when:

15 1. A clearly visible electric or mechanical signal
16 device gives warning of the immediate approach of a
17 railroad train or railroad track equipment;

18 2. A crossing gate is lowered or a human flagman gives
19 or continues to give a signal of the approach or passage of
20 a railroad train or railroad track equipment;

21 3. A railroad train or railroad track equipment
22 approaching a highway crossing emits a warning signal and
23 such railroad train or railroad track equipment, by reason
24 of its speed or nearness to such crossing, is an immediate
25 hazard;

1 4. An approaching railroad train or railroad track
2 equipment is plainly visible and is in hazardous proximity
3 to such crossing;

4 5. A railroad train or railroad track equipment is
5 approaching so closely that an immediate hazard is
6 created.

7 (a-1) Whenever any person driving a commercial motor
8 vehicle, as defined in Section 6-500 of this Code, approaches
9 a railroad grade crossing where the driver is not always
10 required to stop, the person must exercise due care and
11 caution as the existence of a railroad track across a highway
12 is a warning of danger, and under any of the circumstances
13 stated in this Section, the driver shall stop within 50 feet
14 but not less than 15 feet from the nearest rail of the railroad
15 and shall not proceed until the tracks are clear and he or she
16 can do so safely. The foregoing requirements shall apply when:

17 1. A clearly visible electric or mechanical signal
18 device gives warning of the immediate approach of a
19 railroad train or railroad track equipment;

20 2. A crossing gate is lowered or a human flagman gives
21 or continues to give a signal of the approach or passage of
22 a railroad train or railroad track equipment;

23 3. A railroad train or railroad track equipment
24 approaching a highway crossing emits a warning signal and
25 such railroad train or railroad track equipment, by reason
26 of its speed or nearness to such crossing, is an immediate

1 hazard;

2 4. An approaching railroad train or railroad track
3 equipment is plainly visible and is in hazardous proximity
4 to such crossing;

5 5. A railroad train or railroad track equipment is
6 approaching so closely that an immediate hazard is
7 created.

8 (a-5) Whenever a person driving a commercial motor
9 vehicle, as defined in Section 6-500 of this Code, ~~vehicle~~
10 approaches a railroad grade crossing where the driver is not
11 always required to stop but must slow down, the person must
12 exercise due care and caution as the existence of a railroad
13 track across a highway is a warning of danger, and under any of
14 the circumstances stated in this Section, the driver shall
15 slow down within 50 feet but not less than 15 feet from the
16 nearest rail of the railroad and shall not proceed until he or
17 she checks that the tracks are clear of an approaching train or
18 railroad track equipment.

19 (b) No person shall drive any vehicle through, around or
20 under any crossing gate or barrier at a railroad crossing
21 while such gate or barrier is closed or is being opened or
22 closed.

23 (c) The Department, and local authorities with the
24 approval of the Department, are hereby authorized to designate
25 particularly dangerous highway grade crossings of railroads
26 and to erect stop signs thereat. When such stop signs are

1 erected the driver of any vehicle shall stop within 50 feet but
2 not less than 15 feet from the nearest rail of such railroad
3 and shall proceed only upon exercising due care.

4 (d) At any railroad grade crossing provided with railroad
5 crossbuck signs, without automatic, electric, or mechanical
6 signal devices, crossing gates, or a human flagman giving a
7 signal of the approach or passage of a train or railroad track
8 equipment, the driver of a vehicle shall in obedience to the
9 railroad crossbuck sign, yield the right-of-way and slow down
10 to a speed reasonable for the existing conditions and shall
11 stop, if required for safety, at a clearly marked stopped
12 line, or if no stop line, within 50 feet but not less than 15
13 feet from the nearest rail of the railroad and shall not
14 proceed until he or she can do so safely. If a driver is
15 involved in a collision at a railroad crossing or interferes
16 with the movement of a train or railroad track equipment after
17 driving past the railroad crossbuck sign, the collision or
18 interference is prima facie evidence of the driver's failure
19 to yield right-of-way.

20 (d-1) No person shall, while driving a commercial motor
21 vehicle, fail to negotiate a railroad-highway grade railroad
22 crossing because of insufficient undercarriage clearance.

23 (d-5) (Blank).

24 (e) It is unlawful to violate any part of this Section.

25 (1) A violation of this Section is a petty offense for
26 which a fine of \$500 shall be imposed for a first

1 violation, and a fine of \$1,000 shall be imposed for a
2 second or subsequent violation. The court may impose 25
3 hours of community service in place of the \$500 fine for
4 the first violation.

5 (2) For a second or subsequent violation, the
6 Secretary of State may suspend the driving privileges of
7 the offender for a minimum of 6 months.

8 (f) Corporate authorities of municipal corporations
9 regulating operators of vehicles that fail to obey signals
10 indicating the presence, approach, passage, or departure of a
11 train or railroad track equipment shall impose fines as
12 established in subsection (e) of this Section.

13 (Source: P.A. 99-663, eff. 1-1-17.)

14 (625 ILCS 5/11-1202) (from Ch. 95 1/2, par. 11-1202)

15 Sec. 11-1202. Certain vehicles must stop at all railroad
16 grade crossings.

17 (a) The driver of any of the following vehicles shall,
18 before crossing a railroad track or tracks at grade, stop such
19 vehicle within 50 feet but not less than 15 feet from the
20 nearest rail and, while so stopped, shall listen and look for
21 the approach of a train or railroad track equipment and shall
22 not proceed until such movement can be made with safety:

23 1. Any second division vehicle carrying passengers for
24 hire;

25 2. Any bus that meets all of the special requirements

1 for school buses in Sections 12-801, 12-803, and 12-805 of
2 this Code. The driver of the bus, in addition to complying
3 with all other applicable requirements of this subsection
4 (a), must also (i) turn off all noise producing
5 accessories, including heater blowers, defroster fans,
6 auxiliary fans, and radios, and (ii) open the service door
7 and driver's window, before crossing a railroad track or
8 tracks;

9 3. (Blank). ~~Any other vehicle which is required by~~
10 ~~Federal or State law to be placarded when carrying as a~~
11 ~~cargo or part of a cargo hazardous material as defined in~~
12 ~~the "Illinois Hazardous Materials Transportation Act".~~

13 (a-1) The driver of any of the following vehicles shall,
14 before crossing a railroad track or tracks at grade, stop such
15 vehicle within 50 feet but not less than 15 feet from the
16 nearest rail and, while so stopped, shall listen and look for
17 the approach of a train or railroad track equipment and shall
18 not proceed until such movement can be made with safety:

19 1. A commercial motor vehicle, as defined in Section
20 6-500 of this Code, carrying passengers for hire;

21 2. Any bus that meets all of the special requirements
22 for school buses in Sections 12-801, 12-803, and 12-805 of
23 this Code and is designed to transport 16 or more persons,
24 including the driver. The driver of the bus, in addition
25 to complying with all other applicable requirements of
26 this subsection (a-1), must also (i) turn off all noise

1 producing accessories, including heater blowers, defroster
2 fans, auxiliary fans, and radios, and (ii) open the
3 service door and driver's window, before crossing a
4 railroad track or tracks;

5 3. Any other vehicle which is required by federal or
6 State law to be placarded when carrying as a cargo or part
7 of a cargo hazardous material as defined in the Illinois
8 Hazardous Materials Transportation Act.

9 After stopping as required in this Section, the driver
10 shall proceed only in a gear not requiring a change of gears
11 during the crossing, and the driver shall not shift gears
12 while crossing the track or tracks.

13 (b) This Section shall not apply:

14 1. At any railroad grade crossing where traffic is
15 controlled by a police officer or flagperson;

16 2. At any railroad grade crossing controlled by a
17 functioning traffic-control signal transmitting a green
18 indication which, under law, permits the vehicle to
19 proceed across the railroad tracks without slowing or
20 stopping, except that subsection (a) shall apply to any
21 school bus;

22 3. At any streetcar grade crossing within a business
23 or residence district; or

24 4. At any abandoned, industrial or spur track railroad
25 grade crossing designated as exempt by the Illinois
26 Commerce Commission and marked with an official sign as

1 authorized in the State Manual on Uniform Traffic Control
2 Devices for Streets and Highways.

3 (Source: P.A. 95-756, eff. 1-1-09; 96-1244, eff. 1-1-11.)

4 (625 ILCS 5/11-1425) (from Ch. 95 1/2, par. 11-1425)

5 Sec. 11-1425. Stop when traffic obstructed.

6 (a) No driver shall enter an intersection or a marked
7 crosswalk or drive onto any railroad grade crossing unless
8 there is sufficient space on the other side of the
9 intersection, crosswalk or railroad grade crossing to
10 accommodate the vehicle he is operating without obstructing
11 the passage of other vehicles, pedestrians or railroad trains
12 notwithstanding any traffic-control signal indication to
13 proceed.

14 (b) No driver shall enter a highway rail grade crossing
15 unless there is sufficient space on the other side of the
16 highway rail grade crossing to accommodate the vehicle being
17 operated without obstructing the passage of a train or other
18 railroad equipment using the rails, notwithstanding any
19 traffic-control signal indication to proceed.

20 (b-5) No driver operating a commercial motor vehicle, as
21 defined in Section 6-500 of this Code, shall enter a highway
22 rail grade crossing unless there is sufficient space on the
23 other side of the highway rail grade crossing to accommodate
24 the vehicle being operated without obstructing the passage of
25 a train or other railroad equipment using the rails,

1 notwithstanding any traffic-control signal indication to
2 proceed.

3 (c) (Blank).

4 (d) Beginning with the effective date of this amendatory
5 Act of the 95th General Assembly, the Secretary of State shall
6 suspend for a period of one month the driving privileges of any
7 person convicted of a violation of subsection (b) of this
8 Section or a similar provision of a local ordinance; the
9 Secretary shall suspend for a period of 3 months the driving
10 privileges of any person convicted of a second or subsequent
11 violation of subsection (b) of this Section or a similar
12 provision of a local ordinance if the second or subsequent
13 violation occurs within 5 years of a prior conviction for the
14 same offense. In addition to the suspensions authorized by
15 this Section, any person convicted of violating subsection (b)
16 of this Section or a similar provision of a local ordinance
17 shall be subject to a mandatory fine of \$500 or 50 hours of
18 community service. Any person given a disposition of court
19 supervision for violating subsection (b) of this Section or a
20 similar provision of a local ordinance shall also be subject
21 to a mandatory fine of \$500 or 50 hours of community service.
22 Upon a second or subsequent violation, in addition to the
23 suspensions authorized by this Section, the person shall be
24 subject to a mandatory fine of \$500 and 50 hours community
25 service. The Secretary may also grant, for the duration of any
26 suspension issued under this subsection, a restricted driving

1 permit granting the privilege of driving a motor vehicle
2 between the driver's residence and place of employment or
3 within other proper limits that the Secretary of State shall
4 find necessary to avoid any undue hardship. A restricted
5 driving permit issued hereunder shall be subject to
6 cancellation, revocation and suspension by the Secretary of
7 State in like manner and for like cause as a driver's license
8 may be cancelled, revoked or suspended; except that a
9 conviction upon one or more offenses against laws or
10 ordinances regulating the movement of traffic shall be deemed
11 sufficient cause for the revocation, suspension or
12 cancellation of the restricted driving permit. The Secretary
13 of State may, as a condition to the issuance of a restricted
14 driving permit, require the applicant to participate in a
15 designated driver remedial or rehabilitative program. Any
16 conviction for a violation of this subsection shall be
17 included as an offense for the purposes of determining
18 suspension action under any other provision of this Code,
19 provided however, that the penalties provided under this
20 subsection shall be imposed unless those penalties imposed
21 under other applicable provisions are greater.

22 (Source: P.A. 95-753, eff. 1-1-09.)

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

1 represented by multiple versions), the use of that text does
2 not accelerate or delay the taking effect of (i) the changes
3 made by this Act or (ii) provisions derived from any other
4 Public Act.

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