

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 UCCLA.

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)

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

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

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

12 (A) the number of grams of alcohol per 210 liters of  
13 breath; or

14 (B) the number of grams of alcohol per 100 milliliters  
15 of blood; or

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  
21 UCDLA.

22 (3) (Blank).

23 (4) (Blank).

24 (5) (Blank).

25 (5.3) CDLIS driver record. "CDLIS driver record" means the



1 electronic record of the individual CDL driver's status and  
2 history stored by the State-of-Record as part of the  
3 Commercial Driver's License Information System, or CDLIS,  
4 established under 49 U.S.C. 31309.

5 (5.5) CDLIS motor vehicle record. "CDLIS motor vehicle  
6 record" or "CDLIS MVR" means a report generated from the CDLIS  
7 driver record meeting the requirements for access to CDLIS  
8 information and provided by states to users authorized in 49  
9 C.F.R. 384.225(e) (3) and (4), subject to the provisions of the  
10 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

11 (5.7) Commercial driver's license downgrade. "Commercial  
12 driver's license downgrade" or "CDL downgrade" means either:

13 (A) a state allows the driver to change his or her  
14 self-certification to interstate, but operating  
15 exclusively in transportation or operation excepted from  
16 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f),  
17 391.2, 391.68, or 398.3;

18 (B) a state allows the driver to change his or her  
19 self-certification to intrastate only, if the driver  
20 qualifies under that state's physical qualification  
21 requirements for intrastate only;

22 (C) a state allows the driver to change his or her  
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.

3 (A) "Commercial motor vehicle" or "CMV" means a motor  
4 vehicle or combination of motor vehicles used in commerce,  
5 except those referred to in subdivision (B), designed to  
6 transport passengers or property if the motor vehicle:

7 (i) has a gross combination weight rating or gross  
8 combination weight of 11,794 kilograms or more (26,001  
9 pounds or more), whichever is greater, inclusive of  
10 any towed unit with a gross vehicle weight rating or  
11 gross vehicle weight of more than 4,536 kilograms  
12 (10,000 pounds), whichever is greater; or

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

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:

24 (i) recreational vehicles, when operated primarily  
25 for personal use;

26 (ii) vehicles owned by or operated under the

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  
11 owned or operated by a HazMat or technical rescue team  
12 authorized by a county board under Section 5-1127 of  
13 the Counties Code), with audible and visual signals,  
14 owned or operated by or for a governmental entity,  
15 which is necessary to the preservation of life or  
16 property or the execution of emergency governmental  
17 functions which are normally not subject to general  
18 traffic rules and regulations.

19 (7) Controlled Substance. "Controlled substance" shall  
20 have the same meaning as defined in Section 102 of the Illinois  
21 Controlled Substances Act, and shall also include cannabis as  
22 defined in Section 3 of the Cannabis Control Act and  
23 methamphetamine as defined in Section 10 of the  
24 Methamphetamine Control and Community Protection Act.

25 (8) Conviction. "Conviction" means an unvacated  
26 adjudication of guilt or a determination that a person has

1 violated or failed to comply with the law in a court of  
2 original jurisdiction or by an authorized administrative  
3 tribunal; an unvacated revocation of pretrial release; a plea  
4 of guilty or nolo contendere accepted by the court; or the  
5 payment of a fine or court cost regardless of whether the  
6 imposition of sentence is deferred and ultimately a judgment  
7 dismissing the underlying charge is entered.

8 (8.5) Day. "Day" means calendar day.

9 (9) (Blank).

10 (10) (Blank).

11 (11) (Blank).

12 (12) (Blank).

13 (13) Driver. "Driver" means any person who drives,  
14 operates, or is in physical control of a commercial motor  
15 vehicle, any person who is required to hold a CDL, or any  
16 person who is a holder of a CDL while operating a  
17 non-commercial motor vehicle.

18 (13.5) Driver applicant. "Driver applicant" means an  
19 individual who applies to a state or other jurisdiction to  
20 obtain, transfer, upgrade, or renew a CDL or to obtain or renew  
21 a CLP.

22 (13.6) Drug and alcohol clearinghouse. "Drug and alcohol  
23 clearinghouse" means a database system established by the  
24 Federal Motor Carrier Safety Administration that permits the  
25 access and retrieval of a drug and alcohol testing violation  
26 or violations precluding an applicant or employee from

1 occupying safety-sensitive positions involving the operation  
2 of a commercial motor vehicle.

3 (13.8) Electronic device. "Electronic device" includes,  
4 but is not limited to, a cellular telephone, personal digital  
5 assistant, pager, computer, or any other device used to input,  
6 write, send, receive, or read text.

7 (14) Employee. "Employee" means a person who is employed  
8 as a commercial motor vehicle driver. A person who is  
9 self-employed as a commercial motor vehicle driver must comply  
10 with the requirements of this UCDLA pertaining to employees.  
11 An owner-operator on a long-term lease shall be considered an  
12 employee.

13 (15) Employer. "Employer" means a person (including the  
14 United States, a State or a local authority) who owns or leases  
15 a commercial motor vehicle or assigns employees to operate  
16 such a vehicle. A person who is self-employed as a commercial  
17 motor vehicle driver must comply with the requirements of this  
18 UCDLA.

19 (15.1) Endorsement. "Endorsement" means an authorization  
20 to an individual's CLP or CDL required to permit the  
21 individual to operate certain types of commercial motor  
22 vehicles.

23 (15.2) Entry-level driver training. "Entry-level driver  
24 training" means the training an entry-level driver receives  
25 from an entity listed on the Federal Motor Carrier Safety  
26 Administration's Training Provider Registry prior to: (i)

1 taking the CDL skills test required to receive the Class A or  
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.