



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1799

Introduced 2/9/2023, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

105 ILCS 5/29-6.3

625 ILCS 5/11-1414.1

from Ch. 95 1/2, par. 11-1414.1

Amends the Transportation Article of the School Code. Allows the use of a multi-function school activity bus (MFSAB) that is manufactured to transport not more than 15 persons, including the driver, or a vehicle manufactured to transport not more than 10 persons, including the driver, for the transportation of students in any of grades 9 through 12 or who attends an alternative education program operated by a regional office of education for any curriculum-related activity (other than for transportation to and from home on regular bus routes) if the driver (i) holds a minimum of a valid driver's license and (ii) is an employee or contractual employee of the school district or alternative education program or of a third-party contractor (rather than allowing the use of an MFSAB for transporting students in grades 9 through 12 only if the driver holds a valid school bus driver permit). Makes a conforming change to the Illinois Vehicle Code. Effective immediately.

LRB103 29067 RJT 55453 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 29-6.3 as follows:

6 (105 ILCS 5/29-6.3)

7 Sec. 29-6.3. Transportation to and from specified
8 interscholastic or school-sponsored activities.

9 (a) Any school district transporting students in grade 12
10 or below for an interscholastic, interscholastic athletic, or
11 school-sponsored, noncurriculum-related activity that (i) does
12 not require student participation as part of the educational
13 services of the district and (ii) is not associated with the
14 students' regular class-for-credit schedule or required 5
15 clock hours of instruction under Section 10-19.05 shall
16 transport the students only in a school bus, a vehicle
17 manufactured to transport not more than 10 persons, including
18 the driver, or a multifunction school-activity bus
19 manufactured to transport not more than 15 persons, including
20 the driver.

21 (a-5) A student in any of grades 9 through 12 or who
22 attends an alternative education program operated by a
23 regional office of education may be transported in a

1 multi-function school activity bus (MFSAB) as defined in
2 Section 1-148.3a-5 of the Illinois Vehicle Code that is
3 manufactured to transport not more than 15 persons, including
4 the driver, or a vehicle manufactured to transport not more
5 than 10 persons, including the driver, for any
6 curriculum-related activity except for transportation on
7 regular bus routes from home to school or from school to home,
8 subject to the following conditions:

9 (i) The MFSAB or vehicle may be used to transport
10 students under this subsection if the driver holds a
11 minimum of a valid driver's license and is an employee or
12 contractual employee of the school district or alternative
13 education program or of a third-party contractor. A MFSAB
14 ~~may not be used to transport students under this Section~~
15 ~~unless the driver holds a valid school bus driver permit.~~

16 (ii) The use of a MFSAB under this Section is subject
17 to the requirements of Sections 6-106.11, 6-106.12,
18 12-707.01, 13-101, and 13-109 of the Illinois Vehicle
19 Code.

20 (b) Any school district or regional office of education
21 furnishing transportation for students under the authority of
22 this Section shall insure against any loss or liability of the
23 district or regional office of education resulting from the
24 maintenance, operation, or use of the vehicle.

25 (c) Vehicles used to transport students under this Section
26 may claim a depreciation allowance of 20% over 5 years as

1 provided in Section 29-5 of this Code.

2 (Source: P.A. 101-12, eff. 7-1-19.)

3 Section 10. The Illinois Vehicle Code is amended by
4 changing Section 11-1414.1 as follows:

5 (625 ILCS 5/11-1414.1) (from Ch. 95 1/2, par. 11-1414.1)

6 Sec. 11-1414.1. School transportation of students.

7 (a) Every student enrolled in grade 12 or below in any
8 entity listed in subsection (a) of Section 1-182 of this Code
9 must be transported in a school bus or a vehicle described in
10 subdivision (1) or (2) of subsection (b) of Section 1-182 of
11 this Code for any curriculum-related school activity, except
12 that unless subsection (a-5) of Section 29-6.3 of the School
13 Code provides otherwise, a student in any of grades 9 through
14 12 or a student in any of grades K through 12 with an
15 Individualized Education Plan (IEP) with a staff to student
16 ratio of 1 to 5, and attending Acacia Academy, Alexander
17 Leigh, Marklund, Helping Hands Center, Connections
18 Organization, Soaring Eagle Academy, or New Horizon Academy
19 may be transported in a multi-function school activity bus
20 (MFSAB) as defined in Section 1-148.3a-5 of this Code for any
21 curriculum-related activity except for transportation on
22 regular bus routes from home to school or from school to home,
23 subject to the following conditions:

24 (i) A MFSAB may not be used to transport students

1 under this Section unless the driver holds a valid school
2 bus driver permit.

3 (ii) The use of a MFSAB under this Section is subject
4 to the requirements of Sections 6-106.11, 6-106.12,
5 12-707.01, 13-101, and 13-109 of this Code.

6 "Curriculum-related school activity" as used in this
7 subsection (a) includes transportation from home to school or
8 from school to home, tripper or shuttle service between school
9 attendance centers, transportation to a vocational or career
10 center or other trade-skill development site or a regional
11 safe school or other school-sponsored alternative learning
12 program, or a trip that is directly related to the regular
13 curriculum of a student for which he or she earns credit.

14 (b) Every student enrolled in grade 12 or below in any
15 entity listed in subsection (a) of Section 1-182 of this Code
16 who is transported in a vehicle that is being operated by or
17 for a public or private primary or secondary school, including
18 any primary or secondary school operated by a religious
19 institution, for an interscholastic,
20 interscholastic-athletic, or school-sponsored,
21 noncurriculum-related activity that (i) does not require
22 student participation as part of the educational services of
23 the entity and (ii) is not associated with the students'
24 regular class-for-credit schedule shall transport students
25 only in a school bus or vehicle described in subsection (b) of
26 Section 1-182 of this Code. A student participating in an

1 agrarian-related activity may also be transported in a second
2 division pick-up truck registered under paragraph 7 of
3 subsection (b) of Section 3-808.1. For purposes of this
4 subsection, "pick-up truck" means a truck weighing 12,000
5 pounds or less with an enclosed cabin that can seat up to 6
6 passengers with seatbelts, including the driver, and an open
7 cargo area. This subsection (b) does not apply to any second
8 division vehicle used by an entity listed in subsection (a) of
9 Section 1-182 of this Code for a parade, homecoming, or a
10 similar noncurriculum-related school activity.

11 (Source: P.A. 102-544, eff. 8-20-21.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.