- 1 AN ACT in relation to vehicles.
- 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 adding Section
- 5 10-20.21a as follows:
- 6 (105 ILCS 5/10-20.21a new)
- 7 <u>Sec. 10-20.21a. Contracts for charter bus services. To</u>
- 8 <u>award contracts for providing charter bus</u> <u>services</u> for the
- 9 sole purpose of transporting students regularly enrolled in
- 10 grade 12 or below to or from interscholastic athletic or
- interscholastic or school sponsored activities.
- 12 All contracts for providing charter bus services for the
- 13 <u>sole purpose of transporting students regularly enrolled in</u>
- 14 grade 12 or below to or from interscholastic athletic or
- 15 <u>interscholastic or school sponsored activities must contain</u>
- 16 <u>clause (A) as set forth below, except that a contract with an</u>
- 17 <u>out-of-state company may contain clause (B), as set forth</u>
- 18 <u>below, or clause (A). The clause must be set forth in the</u>
- 19 body of the contract in typeface of at least 12 points and
- 20 <u>all upper case letters:</u>
- 21 (A) "ALL OF THE CHARTER BUS DRIVERS WHO WILL BE
- 22 PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE
- 23 <u>BEFORE ANY SERVICES ARE PROVIDED:</u>
- 24 (1) SUBMITTED THEIR FINGERPRINTS TO A STATE POLICE
- 25 <u>AGENCY AND THE FEDERAL BUREAU OF INVESTIGATION FOR A</u>
- 26 <u>CRIMINAL BACKGROUND CHECK, RESULTING IN A DETERMINATION</u>
- 27 THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF
- 28 THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION
- 29 <u>6-508 OF THE ILLINOIS VEHICLE CODE; AND</u>
- 30 (2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL
- 31 <u>BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION,</u>

- 1 <u>INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY</u>
- 2 <u>AGENCY."</u>
- 3 (B) "NOT ALL OF THE CHARTER BUS DRIVERS WHO WILL BE
- 4 PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE
- 5 <u>BEFORE ANY SERVICES ARE PROVIDED:</u>
- 6 (1) SUBMITTED THEIR FINGERPRINTS TO A STATE POLICE
- 7 AGENCY AND THE FEDERAL BUREAU OF INVESTIGATION FOR A
- 8 <u>CRIMINAL BACKGROUND CHECK, RESULTING IN A DETERMINATION</u>
- 9 THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF
- 10 THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION
- 11 <u>6-508 OF THE ILLINOIS VEHICLE CODE; AND</u>
- 12 (2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL
- BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION,
- 14 <u>INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY</u>
- 15 <u>AGENCY."</u>
- 16 Section 10. The Illinois Vehicle Code is amended by
- 17 changing Sections 6-104 and 6-508 as follows:
- 18 (625 ILCS 5/6-104) (from Ch. 95 1/2, par. 6-104)
- 19 Sec. 6-104. Classification of Driver Special
- 20 Restrictions.
- 21 (a) A driver's license issued under the authority of
- 22 this Act shall indicate the classification for which the
- 23 applicant therefor has qualified by examination or by such
- 24 other means that the Secretary of State shall prescribe.
- 25 Driver's license classifications shall be prescribed by rule
- or regulation promulgated by the Secretary of State and such
- 27 may specify classifications as to operation of motor vehicles
- of the first division, or of those of the second division,
- 29 whether operated singly or in lawful combination, and whether
- 30 for-hire or not-for-hire, and may specify such other
- 31 classifications as the Secretary deems necessary.
- No person shall operate a motor vehicle unless such

- 1 person has a valid license with a proper classification to
- 2 permit the operation of such vehicle, except that any person
- 3 may operate a motorized pedalcycle if such person has a valid
- 4 current Illinois driver's license, regardless of
- 5 classification.
- 6 (b) No person who is under the age of 21 years or has
- 7 had less than 1 year of driving experience shall drive: (1)
- 8 in connection with the operation of any school, day camp,
- 9 summer camp, or nursery school, any public or private motor
- 10 vehicle for transporting children to or from any school, day
- 11 camp, summer camp, or nursery school, or (2) any motor
- 12 vehicle of the second division when in use for the
- transportation of persons for compensation.
- 14 (c) No person who is under the age of 18 years shall be
- issued a license for the purpose of transporting property for
- 16 hire, or for the purpose of transporting persons for
- 17 compensation in a motor vehicle of the first division.
- 18 (d) No person shall drive: (1) a school bus when
- 19 transporting school children unless such person possesses a
- 20 valid school bus driver permit or is accompanied and
- 21 supervised, for the specific purpose of training prior to
- routine operation of a school bus, by a person who has held a
- valid school bus driver permit for at least one year; or (2)
- 24 any other vehicle owned or operated by or for a public or
- 25 private school, or a school operated by a religious
- 26 institution, where such vehicle is being used over a
- 27 regularly scheduled route for the transportation of persons
- 28 enrolled as a student in grade 12 or below, in connection
- 29 with any activity of the entities unless such person
- 30 possesses a valid school bus driver permit.
- 31 (d-5) No person may drive a bus that does not meet the
- 32 <u>special requirements for school buses provided in Sections</u>
- 33 <u>12-801, 12-802, 12-803, and 12-805 of this Code</u> that has been
- 34 chartered for the sole purpose of transporting students

1	regularly	enrolled	in	grade	12	or	below	to	or	from
2	interscholastic		thlet	ic or	i	nter	scholas	tic	or	school

- 3 sponsored activities unless the person has a valid and
- 4 properly classified commercial driver's license as provided
- 5 <u>in subsection (c-1) of Section 6-508 of this Code</u> school--bus
- 6 driver-permit in addition to any other permit or license that
- 7 is required to operate that bus. This subsection (d-5) does
- 8 not apply to any bus driver employed by a public
- 9 transportation provider authorized to conduct local or
- 10 interurban transportation of passengers when the bus is not
- 11 traveling a specific school bus route but is on a regularly
- 12 scheduled route for the transporting of other fare paying
- passengers.
- 14 <u>A person may operate a chartered bus described in this</u>
- 15 <u>subsection (d-5) if he or she is not disqualified from</u>
- driving a chartered bus of that type and if he or she holds a
- 17 <u>CDL that is:</u>
- 18 <u>(1) issued to him or her by any other state or</u>
- jurisdiction in accordance with 49 CFR 383;
- 20 (2) not suspended, revoked, or canceled; and
- 21 (3) valid under 49 CFR 383, subpart F, for the type
- of vehicle being driven.
- 23 <u>A person may also operate a chartered bus described in</u>
- 24 this subsection (d-5) if he or she holds a valid school bus
- 25 <u>driver permit that was issued on or before December 31, 2003.</u>
- 26 (e) No person shall drive a religious organization bus
- 27 unless such person has a valid and properly classified
- drivers license or a valid school bus driver permit.
- 29 (f) No person shall drive a motor vehicle for the
- 30 purpose of providing transportation for the elderly in
- 31 connection with the activities of any public or private
- 32 organization unless such person has a valid and properly
- 33 classified driver's license issued by the Secretary of State.
- 34 (g) No person shall drive a bus which meets the special

- 1 requirements for school buses provided in Section 12-801,
- 2 12-802, 12-803 and 12-805 of this Code for the purpose of
- transporting persons 18 years of age or less in connection 3
- 4 with any youth camp licensed under the Youth Camp Act or any
- 5 child care facility licensed under the Child Care Act of 1969
- 6 unless such person possesses a valid school bus driver permit
- 7 or is accompanied and supervised, for the specific purpose of
- training prior to routine operation of a school bus, by a 8
- 9 person who has held a valid school bus driver permit for at
- least one year; however, a person who has a valid and 10
- properly classified driver's license issued by the Secretary 11
- of State may operate a school bus for the purpose of 12
- transporting persons 18 years of age or less in connection 13
- with any such youth camp or child care facility if the 14
- 15 "SCHOOL BUS" signs are covered or concealed and the stop
- 16 signal arm and flashing signal systems are not operable
- through normal controls. 17
- (Source: P.A. 92-849, eff. 1-1-03.) 18
- (625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508) 19
- 2.0 Sec. 6-508. Commercial Driver's License (CDL) -
- qualification standards. 21
- 22 (a) Testing.
- (1) General. No person shall be issued an original 23
- 24 or renewal CDL unless that person is domiciled
- State. The Secretary shall cause to be administered such 25
- 26 tests as the Secretary deems necessary to meet the
- requirements of 49 C.F.R. Part 383, subparts G and H. 27
- (2) Third party testing. The Secretary of state 28
- 29 may authorize a "third party tester", pursuant to 49
- C.F.R. Part 383.75, to administer the skills test or 30
- 31 tests specified by Federal Highway Administration
- pursuant to the Commercial Motor Vehicle Safety Act of 32
- 1986 and any appropriate federal rule. 33

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requirements of 49 C.F.R. Part 383.77.

- 1 (b) Waiver of Skills Test. The Secretary of State may 2 waive the skills test specified in this Section for a 3 commercial driver license applicant who meets the
- 5 (c) Limitations on issuance of a CDL. A CDL, or a б commercial driver instruction permit, shall not be issued to 7 a person while the person is subject to a disqualification from driving a commercial motor vehicle, or unless otherwise 8 9 permitted by this Code, while the person's driver's license is suspended, revoked or cancelled in any state, or any 10 11 territory or province of Canada; nor may a CDL be issued to a person who has a CDL issued by any other state, or foreign 12 jurisdiction, unless the person first surrenders all such 13 No CDL shall be issued to or renewed for a person 14 licenses. 15 who does not meet the requirement of 49 CFR 391.41(b)(11). 16 The requirement may be met with the aid of a hearing aid.
 - (c-1) The Secretary may issue a CDL with a school bus driver endorsement to allow a person to drive the type of bus described in subsection (d-5) of Section 6-104 of this Code.

 The CDL with a school bus driver endorsement may be issued only to a person meeting the following requirements:
 - (1) the person has submitted his or her fingerprints to the Department of State Police for fingerprint based criminal background checks on current and future information available in the state system and current information available through the Federal Bureau of Investigation's system;
 - (2) the person has passed a written test, administered by the Secretary of State, on charter bus operation, charter bus safety, and certain special traffic laws relating to school buses determined by the Secretary of State to be relevant to charter buses, and submitted to a review of the applicant's driving habits by the Secretary of State at the time the written test is

1 given;

2 (3) the person has demonstrated physical fitness to operate school buses by submitting the results of a 3 4 medical examination, including tests for drug use; and (4) the person has not been convicted of committing 5 or attempting to commit any one or more of the following 6 offenses: (i) those offenses defined in Sections 9-1, 7 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2, 10-3.1, 8 9 10-4, 10-5, 10-6, 10-7, 11-6, 11-9, 11-9.1, 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 10 11-20, 11-20.1, 11-21, 11-22, 12-3.1, 12-4.1, 12-4.2, 11 12-4.3, 12-4.4, 12-4.5, 12-6, 12-6.2, 12-7.1, 12-7.3, 12 12-7.4, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 13 12-16.2, 12-21.5, 12-21.6, 12-33, 18-1, 18-2, 18-3, 18-4, 14 18-5, 20-1, 20-1.1, 20-2, 24-1, 24-1.1, 24-1.2, 24-3.3, 15 31A-1, 31A-1.1, and 33A-2, and in subsection (a) and 16 subsection (b), clause (1), of Section 12-4 of the 17 Criminal Code of 1961; (ii) those offenses defined in the 18 19 Cannabis Control Act except those offenses defined in subsections (a) and (b) of Section 4, and subsection (a) 20 of Section 5 of the Cannabis Control Act; (iii) those 21 offenses defined in the Illinois Controlled Substances 22 23 Act; (iv) any offense committed or attempted in any other state or against the laws of the United States, which if 24 25 committed or attempted in this State would be punishable as one or more of the foregoing offenses; (v) the 26 offenses defined in Sections 4.1 and 5.1 of the Wrongs to 27 Children Act and (vi) those offenses defined in Section 28 6-16 of the Liquor Control Act of 1934. 29 30 (d) Commercial driver instruction permit. A commercial driver instruction permit may be issued to any person holding 31 a valid Illinois driver's license if such person successfully 32 passes such tests as the Secretary determines to be 33 necessary. A commercial driver instruction permit shall not 34

- be issued to a person who does not meet the requirements of 1
- 2 49 CFR 391.41 (b)(11), except for the renewal of a commercial
- 3 driver instruction permit for a person who possesses a
- 4 commercial instruction permit prior to the effective date of
- this amendatory Act of 1999. 5
- (Source: P.A. 91-350, eff. 7-29-99.) 6