



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4727

Introduced 01/12/06, by Rep. Esther Golar

SYNOPSIS AS INTRODUCED:

625 ILCS 5/18a-404

from Ch. 95 1/2, par. 18a-404

Amends the Illinois Vehicle Code. Provides that, in addition to the listed reasons for suspending or revoking the employment permit of a relocater operator or dispatcher, the Illinois Commerce Commission shall suspend or revoke the permit if the operator or dispatcher has otherwise demonstrated that he or she is unfit to hold the permit.

LRB094 16465 DRH 51725 b

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 18a-404 as follows:

6 (625 ILCS 5/18a-404) (from Ch. 95 1/2, par. 18a-404)

7 Sec. 18a-404. Operator's and dispatcher's employment
8 permits - Revocation.

9 (1) The Commission shall suspend or revoke the permit of an
10 operator if it finds that:

11 (a) The operator or dispatcher made a false statement
12 on the application for an operator's or dispatcher's
13 employment permit;

14 (b) The operator's or dispatcher's driver's license
15 issued by the Secretary of State has been suspended or
16 revoked; ~~or~~

17 (c) The operator or dispatcher has been convicted,
18 during the preceding 5 years, of any criminal offense of
19 the State of Illinois or any other jurisdiction involving
20 any of the following, and the holder does not make a
21 compelling showing that he is nevertheless fit to hold an
22 operator's license:

23 (i) Bodily injury or attempt to inflict bodily
24 injury to another;

25 (ii) Theft of property or attempted theft of
26 property; or

27 (iii) Sexual assault or attempted sexual assault
28 of any kind; or

29 (d) The operator or dispatcher has otherwise
30 demonstrated that he or she is unfit to hold an operator or
31 dispatcher permit.

32 (2) The Commission, upon notification and verification of

1 any conviction described in this Section, of any person to whom
2 license has been issued, occurring within the 5 years prior to
3 such issuance or any time thereafter, shall immediately suspend
4 the employment permit of such person, and issue an order
5 setting forth the grounds for revocation. The person and his
6 employer shall be notified of such suspension. Such person
7 shall not thereafter be employed by a relocater until a final
8 order is issued by the Commission either reinstating the
9 employment permit, upon a finding that the reinstatement of an
10 employment permit to the person constitutes no threat to the
11 public safety, or revoking the employment permit.

12 (3) If the employment permit is revoked, the person shall
13 not thereafter be employed by a relocater until he obtains an
14 employment permit license under Article IV of this Chapter.

15 (Source: P.A. 85-923.)