

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 may ~~shall~~ suspend or revoke the permit  
10 of an operator or dispatcher if the holder does not make a  
11 compelling showing that he or she is nevertheless fit to hold a  
12 permit after the Commission ~~if it~~ finds that:

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

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

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

25 (i) Bodily injury or attempt to inflict bodily  
26 injury to another;

27 (ii) Theft of property or attempted theft of  
28 property; or

29 (iii) Sexual assault or attempted sexual assault  
30 of any kind; or

31 (d) The operator or dispatcher has, during the  
32 preceding 5 years, violated this Chapter, Commission

1       regulations or orders, or any other law affecting public  
2       safety.

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

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

18       (Source: P.A. 85-923.)