



Rep. Esther Golar

Filed: 2/15/2006

09400HB4727ham001

LRB094 16465 DRH 55554 a

1 AMENDMENT TO HOUSE BILL 4727

2 AMENDMENT NO. _____. Amend House Bill 4727 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing 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:~~

1 (i) Bodily injury or attempt to inflict bodily
2 injury to another;

3 (ii) Theft of property or attempted theft of
4 property; or

5 (iii) Sexual assault or attempted sexual assault
6 of any kind;~~;~~

7 (d) The operator or dispatcher has, during the
8 preceding 5 years, been convicted of any felony; or

9 (e) The operator or dispatcher has, during the
10 preceding 5 years, violated this Chapter, Commission
11 regulations or orders, or any other law affecting public
12 safety.

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

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

28 (Source: P.A. 85-923.)".