

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 Sections 12-813.1 and 12-816 as follows:

6 (625 ILCS 5/12-813.1)

7 Sec. 12-813.1. School bus driver communication devices.

8 (a) In this Section:

9 "School bus driver" means a person operating a school bus  
10 who has a valid school bus driver permit as required under  
11 Sections 6-104 and 6-106.1 of this Code.

12 "Cellular radio telecommunication device" means a device  
13 capable of sending or receiving telephone communications  
14 without an access line for service and which requires the  
15 operator to dial numbers manually. It does not, however,  
16 include citizens band radios or citizens band radio hybrids.

17 "Possession of a school bus" means the period of time from  
18 which a bus driver takes possession until the school bus driver  
19 returns possession of the school bus, whether or not the school  
20 bus driver is operating the school bus.

21 "Using a cellular radio telecommunication device" means  
22 talking or listening to or dialing a cellular radio  
23 telecommunication device.

1 To "operate" means to have the vehicle in motion while it  
2 contains one or more passengers.

3 (b) A school bus driver may not operate a school bus while  
4 using a cellular radio telecommunication device.

5 (c) Subsection (b) of this Section does not apply:

6 (1) To the use of a cellular radio telecommunication  
7 device for the purpose of communicating with any of the  
8 following regarding an emergency situation:

9 (A) an emergency response operator;

10 (B) a hospital;

11 (C) a physician's office or health clinic;

12 (D) an ambulance service;

13 (E) a fire department, fire district, or fire  
14 company; or

15 (F) a police department.

16 (2) To the use of a cellular radio telecommunication  
17 device to call for assistance in the event that there is a  
18 mechanical breakdown or other mechanical problem that  
19 impairs the safe operation of the bus or to communicate  
20 with school authorities or their designees about any other  
21 issue relating to the operation of the school bus or the  
22 welfare and safety of any passenger thereon. In no case may  
23 a cellular radio telecommunication device be used for  
24 anything not provided for in this Section, including but  
25 not limited to, personal use.

26 (3) (Blank). ~~To the use of a cellular radio~~

1 ~~telecommunication device that has a digital two-way radio~~  
2 ~~service capability owned and operated by the school~~  
3 ~~district, when that device is being used as a digital~~  
4 ~~two-way radio.~~

5 (4) When the school bus is parked.

6 (d) A school bus driver who violates subsection (b) of this  
7 Section is guilty of a petty offense punishable by a fine of  
8 not less than \$100 and not more than \$250.

9 (e) A school bus must contain either an operating cellular  
10 radio telecommunication device or two-way radio while the  
11 school bus driver is in possession of a school bus. The  
12 cellular radio telecommunication device or two-way radio in  
13 this subsection must be turned on and adjusted in a manner that  
14 would alert the school bus driver of an incoming communication  
15 request.

16 (Source: P.A. 96-818, eff. 11-17-09.)

17 (625 ILCS 5/12-816)

18 Sec. 12-816. Pre and post-trip inspection policy for school  
19 buses.

20 (a) In order to provide for the welfare and safety of  
21 children who are transported on school buses throughout the  
22 State of Illinois, each school district shall have in place, by  
23 January 1, 2008, a policy to ensure that the school bus driver  
24 is the last person leaving the bus and that no passenger is  
25 left behind or remains on the vehicle at the end of a route, a

1 work shift, or the work day. This policy and procedure shall,  
2 at a minimum, require the school bus driver (i) to test the  
3 cellular radio telecommunication device or two-way radio and  
4 ensure that it is functioning properly before the bus is  
5 operated and (ii) before leaving the bus at the end of each  
6 route, work shift, or work day, to walk to the rear of the bus  
7 and check the bus for children or other passengers in the bus.

8 (b) If a school district has a contract with a private  
9 sector school bus company for the transportation of the  
10 district's students, the school district shall require in the  
11 contract with the private sector company that the company have  
12 a post-trip inspection policy in place. This policy and  
13 procedure shall, at a minimum, require the school bus driver  
14 (i) to test the cellular radio telecommunication device or  
15 two-way radio and ensure that it is functioning properly before  
16 the bus is operated and (ii) before leaving the bus at the end  
17 of each route, work shift, or work day, to walk to the rear of  
18 the bus and check the bus for children or other passengers in  
19 the bus.

20 (c) Before this inspection, the school bus driver shall  
21 activate the interior lights of the bus to assist the driver in  
22 seeing in and under the seats during a visual sweep of the bus.

23 (d) This policy may include, at the discretion of the  
24 school district, the installation of a mechanical or electronic  
25 post-trip inspection reminder system which requires the school  
26 bus driver to walk to the rear of the bus to deactivate the

1 system before the driver leaves the bus. The system shall  
2 require that when the driver turns off the vehicle's ignition  
3 system, the vehicle's interior lights must illuminate to assist  
4 the driver in seeing in and under the seats during a visual  
5 sweep of the bus.

6 (Source: P.A. 95-260, eff. 8-17-07; 96-818, eff. 11-17-09.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.