

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 School Code is amended by changing Section
5 27-24.9 as follows:

6 (105 ILCS 5/27-24.9)

7 Sec. 27-24.9. Driver education standards. The State Board
8 of Education, in consultation with the Secretary of State,
9 shall adopt course content standards for driver education for
10 those persons under the age of 18 years, which shall include
11 the operation and equipment of motor vehicles, and information
12 concerning the proper procedures following a vehicle stop by a
13 law enforcement officer, including the driver's rights, the
14 officer's rights, appropriate questioning, required
15 documentation, and any other information the Secretary, in
16 consultation with the Department of State Police, deems
17 necessary.

18 (Source: P.A. 97-1025, eff. 1-1-13.)

19 Section 10. The Illinois Vehicle Code is amended by
20 changing Sections 6-107.5 and 6-419 as follows:

21 (625 ILCS 5/6-107.5)

1 Sec. 6-107.5. Adult Driver Education Course.

2 (a) The Secretary shall establish by rule the curriculum
3 and designate the materials to be used in an adult driver
4 education course. The course shall be at least 6 hours in
5 length and shall include instruction on traffic laws; highway
6 signs, signals, and markings that regulate, warn, or direct
7 traffic; and issues commonly associated with motor vehicle
8 accidents including poor decision-making, risk taking,
9 impaired driving, distraction, speed, failure to use a safety
10 belt, driving at night, failure to yield the right-of-way,
11 texting while driving, using wireless communication devices,
12 and alcohol and drug awareness. The course shall also include
13 instruction on the proper procedures following a vehicle stop
14 by a law enforcement officer, including the driver's rights,
15 the officer's rights, appropriate questioning, required
16 documentation, and any other information the Secretary, in
17 consultation with the Department of State Police, deems
18 necessary. The curriculum shall not require the operation of a
19 motor vehicle.

20 (b) The Secretary shall certify course providers. The
21 requirements to be a certified course provider, the process for
22 applying for certification, and the procedure for decertifying
23 a course provider shall be established by rule.

24 (b-5) In order to qualify for certification as an adult
25 driver education course provider, each applicant must
26 authorize an investigation that includes a fingerprint-based

1 background check to determine if the applicant has ever been
2 convicted of a criminal offense and, if so, the disposition of
3 any conviction. This authorization shall indicate the scope of
4 the inquiry and the agencies that may be contacted. Upon
5 receiving this authorization, the Secretary of State may
6 request and receive information and assistance from any
7 federal, State, or local governmental agency as part of the
8 authorized investigation. Each applicant shall submit his or
9 her fingerprints to the Department of State Police in the form
10 and manner prescribed by the Department of State Police. These
11 fingerprints shall be checked against fingerprint records now
12 and hereafter filed in the Department of State Police and
13 Federal Bureau of Investigation criminal history record
14 databases. The Department of State Police shall charge
15 applicants a fee for conducting the criminal history record
16 check, which shall be deposited into the State Police Services
17 Fund and shall not exceed the actual cost of the State and
18 national criminal history record check. The Department of State
19 Police shall furnish, pursuant to positive identification,
20 records of Illinois criminal convictions to the Secretary and
21 shall forward the national criminal history record information
22 to the Secretary. Applicants shall pay any other
23 fingerprint-related fees. Unless otherwise prohibited by law,
24 the information derived from the investigation, including the
25 source of the information and any conclusions or
26 recommendations derived from the information by the Secretary

1 of State, shall be provided to the applicant upon request to
2 the Secretary of State prior to any final action by the
3 Secretary of State on the application. Any criminal conviction
4 information obtained by the Secretary of State shall be
5 confidential and may not be transmitted outside the Office of
6 the Secretary of State, except as required by this subsection
7 (b-5), and may not be transmitted to anyone within the Office
8 of the Secretary of State except as needed for the purpose of
9 evaluating the applicant. At any administrative hearing held
10 under Section 2-118 of this Code relating to the denial,
11 cancellation, suspension, or revocation of certification of an
12 adult driver education course provider, the Secretary of State
13 may utilize at that hearing any criminal history, criminal
14 conviction, and disposition information obtained under this
15 subsection (b-5). The information obtained from the
16 investigation may be maintained by the Secretary of State or
17 any agency to which the information was transmitted. Only
18 information and standards which bear a reasonable and rational
19 relation to the performance of providing adult driver education
20 shall be used by the Secretary of State. Any employee of the
21 Secretary of State who gives or causes to be given away any
22 confidential information concerning any criminal convictions
23 or disposition of criminal convictions of an applicant shall be
24 guilty of a Class A misdemeanor unless release of the
25 information is authorized by this Section.

26 (c) The Secretary may permit a course provider to offer the

1 course online, if the Secretary is satisfied the course
2 provider has established adequate procedures for verifying:

3 (1) the identity of the person taking the course
4 online; and

5 (2) the person completes the entire course.

6 (d) The Secretary shall establish a method of electronic
7 verification of a student's successful completion of the
8 course.

9 (e) The fee charged by the course provider must bear a
10 reasonable relationship to the cost of the course. The
11 Secretary shall post on the Secretary of State's website a list
12 of approved course providers, the fees charged by the
13 providers, and contact information for each provider.

14 (f) In addition to any other fee charged by the course
15 provider, the course provider shall collect a fee of \$5 from
16 each student to offset the costs incurred by the Secretary in
17 administering this program. The \$5 shall be submitted to the
18 Secretary within 14 days of the day on which it was collected.
19 All such fees received by the Secretary shall be deposited in
20 the Secretary of State Driver Services Administration Fund.

21 (Source: P.A. 98-167, eff. 7-1-14; 98-876, eff. 1-1-15.)

22 (625 ILCS 5/6-419) (from Ch. 95 1/2, par. 6-419)

23 Sec. 6-419. Rules and Regulations. The Secretary is
24 authorized to prescribe by rule standards for the eligibility,
25 conduct and operation of driver training schools, and

1 instructors and to adopt other reasonable rules and regulations
2 necessary to carry out the provisions of this Act. The
3 Secretary may adopt rules exempting particular types of driver
4 training schools from specific statutory provisions in
5 Sections 6-401 through 6-424, where application of those
6 provisions would be inconsistent with the manner of instruction
7 offered by those schools. The Secretary, in consultation with
8 the State Board of Education, shall adopt course content
9 standards for driver education for those persons under the age
10 of 18 years, which shall include the operation and equipment of
11 motor vehicles, and information concerning the proper
12 procedures following a vehicle stop by a law enforcement
13 officer, including the driver's rights, the officer's rights,
14 appropriate questioning, required documentation, and any other
15 information the Secretary, in consultation with the Department
16 of State Police, deems necessary.

17 (Source: P.A. 96-740, eff. 1-1-10; 96-962, eff. 7-2-10; 97-229,
18 eff. 7-28-11; 97-1025, eff. 1-1-13.)