

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Section 3-14.23 as follows:

(105 ILCS 5/3-14.23) (from Ch. 122, par. 3-14.23)

Sec. 3-14.23. School bus driver permits.

(a) To conduct courses of instruction for school bus drivers pursuant to the standards established by the Secretary of State under Section 6-106.1 of the Illinois Vehicle Code and to charge a fee based upon the cost of providing such courses of up to \$6 per person for fiscal years 2010, 2011, and 2012; up to \$8 per person for fiscal years 2013, 2014, and 2015; and up to \$10 per person for fiscal year 2016 and each fiscal year thereafter ~~\$4 per person~~ for the initial classroom course in school bus driver safety and of up to \$6 per person for fiscal years 2010, 2011, and 2012; up to \$8 per person for fiscal years 2013, 2014, and 2015; and up to \$10 per person for fiscal year 2016 and each fiscal year thereafter ~~up to \$4 per person~~ for the annual refresher course. ~~The State Board of Education shall annually request such additional appropriation as may be necessary to ensure that adequate and sufficient training is provided to all school bus drivers in Illinois. This~~

~~appropriation shall be used to supplement, not supplant, programs conducted using fees received from applicants for school bus driver permits.~~

(b) To conduct such investigations as may be necessary to insure that all persons hired to operate school buses have valid school bus driver permits as required under Sections 6-104 and 6-106.1 of "The Illinois Vehicle Code". If a regional superintendent finds evidence of non-compliance with this requirement, he shall submit such evidence together with his recommendations in writing to the school board.

If the regional superintendent finds evidence of noncompliance with the requirement that all persons employed directly by the school board to operate school buses have valid school bus driver permits as required under Sections 6-104 and 6-106.1 of "The Illinois Vehicle Code", the regional superintendent shall schedule a hearing on a date not less than 5 days nor more than 10 days after notifying the district of his findings. If based on the evidence presented at the hearing the regional superintendent finds that persons employed directly by the school board to operate school buses do not have valid school bus driver permits as required under Sections 6-104 and 6-106.1 of "The Illinois Vehicle Code", the regional superintendent shall submit such evidence and his findings together with his recommendations to the State Superintendent of Education. The State Superintendent of Education may reduce the district's claim for reimbursement under Sections 29-5 and

14-13.01 for transportation by 1.136% for each day of noncompliance.

If a school board finds evidence of noncompliance with the requirement that all persons employed by a contractor to operate school buses have valid school bus driver permits as required under Sections 6-104 and 6-106.1 of "The Illinois Vehicle Code", the school board shall request a hearing before the regional superintendent. The regional superintendent shall schedule a hearing on a date not less than 5 days nor more than 10 days after receiving the request. If based on the evidence presented at the hearing the regional superintendent finds that persons employed by a contractor to operate school buses do not have valid school bus driver permits as required under Sections 6-104 and 6-106.1 of "The Illinois Vehicle Code", the school board's financial obligations under the contract shall be reduced by an amount equal to 1.136% for each day of noncompliance. The findings of the regional superintendent and the relief provided herein shall not impair the obligations of the contractor to continue to provide transportation services in accordance with the terms of the contract.

The provisions of the Administrative Review Law, and all amendments and modifications thereof and the rules adopted pursuant thereto shall apply to and govern all proceedings instituted for judicial review of final administrative decisions of the regional superintendent under this Section.

(Source: P.A. 90-811, eff. 1-26-99.)