

SB0088



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB0088

Introduced 1/23/2019, by Sen. Steve Stadelman

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-104	from Ch. 95 1/2, par. 6-104
625 ILCS 5/11-1414.1	from Ch. 95 1/2, par. 11-1414.1

Amends the Illinois Vehicle Code. Provides that employees of regional offices of education, intermediate services centers, school districts, and any contracting agency, along with workers from child welfare agencies with open cases involving the student, may transport a student to and from school in a first division vehicle if proof of insurance not less than \$300,000 per incident and \$100,000 per person is on record with the employer of the driver of the vehicle.

LRB101 05175 TAE 50187 b

A BILL FOR

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 6-104 and 11-1414.1 as follows:

6 (625 ILCS 5/6-104) (from Ch. 95 1/2, par. 6-104)

7 Sec. 6-104. Classification of Driver - Special
8 Restrictions.

9 (a) A driver's license issued under the authority of this
10 Act shall indicate the classification for which the applicant
11 therefor has qualified by examination or by such other means
12 that the Secretary of State shall prescribe. Driver's license
13 classifications shall be prescribed by rule or regulation
14 promulgated by the Secretary of State and such may specify
15 classifications as to operation of motor vehicles of the first
16 division, or of those of the second division, whether operated
17 singly or in lawful combination, and whether for-hire or
18 not-for-hire, and may specify such other classifications as the
19 Secretary deems necessary.

20 No person shall operate a motor vehicle unless such person
21 has a valid license with a proper classification to permit the
22 operation of such vehicle, except that any person may operate a
23 moped if such person has a valid current Illinois driver's

1 license, regardless of classification.

2 (b) No person who is under the age of 21 years or has had
3 less than 1 year of driving experience shall drive: (1) in
4 connection with the operation of any school, day camp, summer
5 camp, or nursery school, any public or private motor vehicle
6 for transporting children to or from any school, day camp,
7 summer camp, or nursery school, or (2) any motor vehicle of the
8 second division when in use for the transportation of persons
9 for compensation.

10 (c) No person who is under the age of 18 years shall be
11 issued a license for the purpose of transporting property for
12 hire, or for the purpose of transporting persons for
13 compensation in a motor vehicle of the first division.

14 (d) Except as provided in Section 11-1414.1, no ~~no~~ person
15 shall drive: (1) a school bus when transporting school children
16 unless such person possesses a valid school bus driver permit
17 or is accompanied and supervised, for the specific purpose of
18 training prior to routine operation of a school bus, by a
19 person who has held a valid school bus driver permit for at
20 least one year; or (2) any other vehicle owned or operated by
21 or for a public or private school, or a school operated by a
22 religious institution, where such vehicle is being used over a
23 regularly scheduled route for the transportation of persons
24 enrolled as a student in grade 12 or below, in connection with
25 any activity of the entities unless such person possesses a
26 valid school bus driver permit.

1 (d-5) No person may drive a bus that does not meet the
2 special requirements for school buses provided in Sections
3 12-801, 12-802, 12-803, and 12-805 of this Code that has been
4 chartered for the sole purpose of transporting students
5 regularly enrolled in grade 12 or below to or from
6 interscholastic athletic or interscholastic or school
7 sponsored activities unless the person has a valid and properly
8 classified commercial driver's license as provided in
9 subsection (c-1) of Section 6-508 of this Code in addition to
10 any other permit or license that is required to operate that
11 bus. This subsection (d-5) does not apply to any bus driver
12 employed by a public transportation provider authorized to
13 conduct local or interurban transportation of passengers when
14 the bus is not traveling a specific school bus route but is on
15 a regularly scheduled route for the transporting of other fare
16 paying passengers.

17 A person may operate a chartered bus described in this
18 subsection (d-5) if he or she is not disqualified from driving
19 a chartered bus of that type and if he or she holds a CDL that
20 is:

21 (1) issued to him or her by any other state or
22 jurisdiction in accordance with 49 CFR 383;

23 (2) not suspended, revoked, or canceled; and

24 (3) valid under 49 CFR 383, subpart F, for the type of
25 vehicle being driven.

26 A person may also operate a chartered bus described in this

1 subsection (d-5) if he or she holds a valid CDL and a valid
2 school bus driver permit that was issued on or before December
3 31, 2003.

4 (e) No person shall drive a religious organization bus
5 unless such person has a valid and properly classified drivers
6 license or a valid school bus driver permit.

7 (f) No person shall drive a motor vehicle for the purpose
8 of providing transportation for the elderly in connection with
9 the activities of any public or private organization unless
10 such person has a valid and properly classified driver's
11 license issued by the Secretary of State.

12 (g) No person shall drive a bus which meets the special
13 requirements for school buses provided in Section 12-801,
14 12-802, 12-803 and 12-805 of this Code for the purpose of
15 transporting persons 18 years of age or less in connection with
16 any youth camp licensed under the Youth Camp Act or any child
17 care facility licensed under the Child Care Act of 1969 unless
18 such person possesses a valid school bus driver permit or is
19 accompanied and supervised, for the specific purpose of
20 training prior to routine operation of a school bus, by a
21 person who has held a valid school bus driver permit for at
22 least one year; however, a person who has a valid and properly
23 classified driver's license issued by the Secretary of State
24 may operate a school bus for the purpose of transporting
25 persons 18 years of age or less in connection with any such
26 youth camp or child care facility if the "SCHOOL BUS" signs are

1 covered or concealed and the stop signal arm and flashing
2 signal systems are not operable through normal controls.

3 (h) No person shall operate an autocycle unless he or she
4 has a valid Class D driver's license.

5 (Source: P.A. 98-777, eff. 1-1-15.)

6 (625 ILCS 5/11-1414.1) (from Ch. 95 1/2, par. 11-1414.1)
7 Sec. 11-1414.1. School transportation of students.

8 (a) Every student enrolled in grade 12 or below in any
9 entity listed in subsection (a) of Section 1-182 of this Code
10 must be transported in a school bus or a vehicle described in
11 subdivision (1) or (2) of subsection (b) of Section 1-182 of
12 this Code for any curriculum-related school activity, except a
13 student in any of grades 9 through 12 or a student in any of
14 grades K through 12 with an Individualized Education Plan (IEP)
15 with a staff to student ratio of 1 to 5, and attending Acacia
16 Academy, Alexander Leigh, Marklund, Helping Hands Center,
17 Connections Organization, Soaring Eagle Academy, or New
18 Horizon Academy may be transported in a multi-function school
19 activity bus (MFSAB) as defined in Section 1-148.3a-5 of this
20 Code for any curriculum-related activity except for
21 transportation on regular bus routes from home to school or
22 from school to home, subject to the following conditions:

23 (i) A MFSAB may not be used to transport students under
24 this Section unless the driver holds a valid school bus
25 driver permit.

1 (ii) The use of a MFSAB under this Section is subject
2 to the requirements of Sections 6-106.11, 6-106.12,
3 12-707.01, 13-101, and 13-109 of this Code.

4 "Curriculum-related school activity" as used in this
5 subsection (a) includes transportation from home to school or
6 from school to home, tripper or shuttle service between school
7 attendance centers, transportation to a vocational or career
8 center or other trade-skill development site or a regional safe
9 school or other school-sponsored alternative learning program,
10 or a trip that is directly related to the regular curriculum of
11 a student for which he or she earns credit.

12 (b) Every student enrolled in grade 12 or below in any
13 entity listed in subsection (a) of Section 1-182 of this Code
14 who is transported in a vehicle that is being operated by or
15 for a public or private primary or secondary school, including
16 any primary or secondary school operated by a religious
17 institution, for an interscholastic, interscholastic-athletic,
18 or school-sponsored, noncurriculum-related activity that (i)
19 does not require student participation as part of the
20 educational services of the entity and (ii) is not associated
21 with the students' regular class-for-credit schedule shall
22 transport students only in a school bus or vehicle described in
23 subsection (b) of Section 1-182 of this Code. This subsection
24 (b) does not apply to any second division vehicle used by an
25 entity listed in subsection (a) of Section 1-182 of this Code
26 for a parade, homecoming, or a similar noncurriculum-related

1 school activity.

2 (c) Notwithstanding subsection (a) of this Section,
3 employees of regional offices of education, intermediate
4 services centers, school districts, and any contracting
5 agency, along with workers from child welfare agencies with
6 open cases involving the student, may transport a student to
7 and from school in a first division vehicle if proof of
8 insurance not less than \$300,000 per incident and \$100,000 per
9 person is on record with the employer of the driver of the
10 vehicle.

11 (Source: P.A. 99-888, eff. 1-1-17; 100-667, eff. 1-1-19.)