



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2962

Introduced 2/6/2025, by Rep. Tracy Katz Muhl

SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-217

from Ch. 95 1/2, par. 1-217

625 ILCS 5/6-106.1

Amends the Illinois Vehicle Code. Divides vehicles into 3 (instead of 2) divisions. Provides that a third division motor vehicle is a vehicle which is designed for the carrying of more than 10 persons and not more than 15 persons and which is designed or used only as a multifunction school-activity bus. Provides that the Secretary of State, in conjunction with the State Board of Education, shall develop a separate classroom course and refresher course for operation of vehicles of the third division being operated as multifunction school-activity buses.

LRB104 10787 LNS 20867 b

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
5 changing Sections 1-217 and 6-106.1 as follows:

6 (625 ILCS 5/1-217) (from Ch. 95 1/2, par. 1-217)

7 Sec. 1-217. Vehicle. Every device, in, upon or by which
8 any person or property is or may be transported or drawn upon a
9 highway or requiring a certificate of title under Section
10 3-101(d) of this Code, except devices moved by human power,
11 devices used exclusively upon stationary rails or tracks, and
12 snowmobiles as defined in the Snowmobile Registration and
13 Safety Act.

14 For the purposes of this Code, unless otherwise
15 prescribed, a device shall be considered to be a vehicle until
16 such time it either comes within the definition of a junk
17 vehicle, as defined under this Code, or a junking certificate
18 is issued for it.

19 For this Code, vehicles are divided into 3 ~~2~~ divisions:

20 First Division: Those motor vehicles which are designed
21 for the carrying of not more than 10 persons.

22 Second Division: Those vehicles which are designed for
23 carrying more than 10 persons, except such vehicles that may

1 be considered Third Division, those designed or used for
2 living quarters and those vehicles which are designed for
3 pulling or carrying property, freight, or cargo and those
4 motor vehicles of the First Division remodelled for use and
5 used as motor vehicles of the Second Division.

6 Third Division: Those motor vehicles which are designed
7 for the carrying of more than 10 persons and not more than 15
8 persons and which are designed or used only as a multifunction
9 school-activity bus, as defined in Section 1-148.3a-5. All
10 Third Division vehicles must abide by the same laws, rules,
11 and regulations as those for school buses.

12 (Source: P.A. 102-1130, eff. 7-1-23.)

13 (625 ILCS 5/6-106.1)

14 Sec. 6-106.1. School bus driver permit.

15 (a) The Secretary of State shall issue a school bus driver
16 permit for the operation of first or second division vehicles
17 being operated as school buses or a permit valid only for the
18 operation of first division vehicles being operated as school
19 buses to those applicants who have met all the requirements of
20 the application and screening process under this Section to
21 insure the welfare and safety of children who are transported
22 on school buses throughout the State of Illinois. Applicants
23 shall obtain the proper application required by the Secretary
24 of State from their prospective or current employer and submit
25 the completed application to the prospective or current

1 employer along with the necessary fingerprint submission as
2 required by the Illinois State Police to conduct
3 fingerprint-based criminal background checks on current and
4 future information available in the State system and current
5 information available through the Federal Bureau of
6 Investigation's system. Applicants who have completed the
7 fingerprinting requirements shall not be subjected to the
8 fingerprinting process when applying for subsequent permits or
9 submitting proof of successful completion of the annual
10 refresher course. Individuals who on July 1, 1995 (the
11 effective date of Public Act 88-612) possess a valid school
12 bus driver permit that has been previously issued by the
13 appropriate Regional School Superintendent are not subject to
14 the fingerprinting provisions of this Section as long as the
15 permit remains valid and does not lapse. The applicant shall
16 be required to pay all related application and fingerprinting
17 fees as established by rule, including, but not limited to,
18 the amounts established by the Illinois State Police and the
19 Federal Bureau of Investigation to process fingerprint-based
20 criminal background investigations. All fees paid for
21 fingerprint processing services under this Section shall be
22 deposited into the State Police Services Fund for the cost
23 incurred in processing the fingerprint-based criminal
24 background investigations. All other fees paid under this
25 Section shall be deposited into the Road Fund for the purpose
26 of defraying the costs of the Secretary of State in

1 administering this Section. All applicants must:

2 1. be 21 years of age or older;

3 2. possess a valid and properly classified driver's
4 license issued by the Secretary of State;

5 3. possess a valid driver's license, which has not
6 been revoked, suspended, or canceled for 3 years
7 immediately prior to the date of application, or have not
8 had his or her commercial motor vehicle driving privileges
9 disqualified within the 3 years immediately prior to the
10 date of application;

11 4. successfully pass a first division or second
12 division written test, administered by the Secretary of
13 State, on school bus operation, school bus safety, and
14 special traffic laws relating to school buses and submit
15 to a review of the applicant's driving habits by the
16 Secretary of State at the time the written test is given;

17 5. demonstrate ability to exercise reasonable care in
18 the operation of school buses in accordance with rules
19 promulgated by the Secretary of State;

20 6. demonstrate physical fitness to operate school
21 buses by submitting the results of a medical examination,
22 including tests for drug use for each applicant not
23 subject to such testing pursuant to federal law, conducted
24 by a licensed physician, a licensed advanced practice
25 registered nurse, or a licensed physician assistant within
26 90 days of the date of application according to standards

1 promulgated by the Secretary of State;

2 7. affirm under penalties of perjury that he or she
3 has not made a false statement or knowingly concealed a
4 material fact in any application for permit;

5 8. have completed an initial classroom course,
6 including first aid procedures, in school bus driver
7 safety as promulgated by the Secretary of State and, after
8 satisfactory completion of said initial course, an annual
9 refresher course; such courses and the agency or
10 organization conducting such courses shall be approved by
11 the Secretary of State; failure to complete the annual
12 refresher course shall result in cancellation of the
13 permit until such course is completed;

14 9. not have been under an order of court supervision
15 for or convicted of 2 or more serious traffic offenses, as
16 defined by rule, within one year prior to the date of
17 application that may endanger the life or safety of any of
18 the driver's passengers within the duration of the permit
19 period;

20 10. not have been under an order of court supervision
21 for or convicted of reckless driving, aggravated reckless
22 driving, driving while under the influence of alcohol,
23 other drug or drugs, intoxicating compound or compounds or
24 any combination thereof, or reckless homicide resulting
25 from the operation of a motor vehicle within 3 years of the
26 date of application;

1 11. not have been convicted of committing or
2 attempting to commit any one or more of the following
3 offenses: (i) those offenses defined in Sections 8-1,
4 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1,
5 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9,
6 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5,
7 11-6.6, 11-9, 11-9.1, 11-9.1A, 11-9.3, 11-9.4, 11-9.4-1,
8 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16,
9 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2,
10 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-20.4, 11-21, 11-22,
11 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.05,
12 12-3.1, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3,
13 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.3, 12-6,
14 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13,
15 12-14, 12-14.1, 12-15, 12-16, 12-21.5, 12-21.6, 12-33,
16 12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16, 16-16.1,
17 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1, 20-1.2,
18 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6,
19 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, 31A-1.1,
20 33A-2, and 33D-1, in subsection (A), clauses (a) and (b),
21 of Section 24-3, and those offenses contained in Article
22 29D of the Criminal Code of 1961 or the Criminal Code of
23 2012; (ii) those offenses defined in the Cannabis Control
24 Act except those offenses defined in subsections (a) and
25 (b) of Section 4, and subsection (a) of Section 5 of the
26 Cannabis Control Act; (iii) those offenses defined in the

1 Illinois Controlled Substances Act; (iv) those offenses
2 defined in the Methamphetamine Control and Community
3 Protection Act; (v) any offense committed or attempted in
4 any other state or against the laws of the United States,
5 which if committed or attempted in this State would be
6 punishable as one or more of the foregoing offenses; (vi)
7 the offenses defined in Section 4.1 and 5.1 of the Wrongs
8 to Children Act or Section 11-9.1A of the Criminal Code of
9 1961 or the Criminal Code of 2012; (vii) those offenses
10 defined in Section 6-16 of the Liquor Control Act of 1934;
11 and (viii) those offenses defined in the Methamphetamine
12 Precursor Control Act;

13 12. not have been repeatedly involved as a driver in
14 motor vehicle collisions or been repeatedly convicted of
15 offenses against laws and ordinances regulating the
16 movement of traffic, to a degree which indicates lack of
17 ability to exercise ordinary and reasonable care in the
18 safe operation of a motor vehicle or disrespect for the
19 traffic laws and the safety of other persons upon the
20 highway;

21 13. not have, through the unlawful operation of a
22 motor vehicle, caused a crash resulting in the death of
23 any person;

24 14. not have, within the last 5 years, been adjudged
25 to be afflicted with or suffering from any mental
26 disability or disease;

1 15. consent, in writing, to the release of results of
2 reasonable suspicion drug and alcohol testing under
3 Section 6-106.1c of this Code by the employer of the
4 applicant to the Secretary of State; and

5 16. not have been convicted of committing or
6 attempting to commit within the last 20 years: (i) an
7 offense defined in subsection (c) of Section 4, subsection
8 (b) of Section 5, and subsection (a) of Section 8 of the
9 Cannabis Control Act; or (ii) any offenses in any other
10 state or against the laws of the United States that, if
11 committed or attempted in this State, would be punishable
12 as one or more of the foregoing offenses.

13 (a-5) If an applicant's driver's license has been
14 suspended within the 3 years immediately prior to the date of
15 application for the sole reason of failure to pay child
16 support, that suspension shall not bar the applicant from
17 receiving a school bus driver permit.

18 (a-10) By January 1, 2024, the Secretary of State, in
19 conjunction with the Illinois State Board of Education, shall
20 develop a separate classroom course and refresher course for
21 operation of vehicles of the first division being operated as
22 school buses. Regional superintendents of schools, working
23 with the Illinois State Board of Education, shall offer the
24 course, which shall be offered both live in person or live via
25 teleconferencing software. This course shall satisfy the
26 requirements provided by paragraph (4) of subsection (a).

1 Beginning January 1, 2026, school districts' directors of
2 transportation, if trained by their regional superintendent of
3 schools, may also offer the course.

4 (a-15) By January 1, 2026, the Secretary of State, in
5 conjunction with the State Board of Education, shall develop a
6 separate classroom course and refresher course for operation
7 of vehicles of the third division being operated as
8 multifunction school-activity buses. Working with the State
9 Board of Education, regional superintendents of schools and
10 school districts' directors of transportation, if trained by
11 their regional superintendent of schools, shall offer the
12 course, which shall be offered both live in person or live via
13 teleconferencing software. This course shall satisfy the
14 requirements provided by paragraph (4) of subsection (a).

15 (b) A school bus driver permit shall be valid for a period
16 specified by the Secretary of State as set forth by rule. It
17 shall be renewable upon compliance with subsection (a) of this
18 Section.

19 (c) A school bus driver permit shall contain the holder's
20 driver's license number, legal name, residence address, zip
21 code, and date of birth, a brief description of the holder, and
22 a space for signature. The Secretary of State may require a
23 suitable photograph of the holder.

24 (d) The employer shall be responsible for conducting a
25 pre-employment interview with prospective school bus driver
26 candidates, distributing school bus driver applications and

1 medical forms to be completed by the applicant, and submitting
2 the applicant's fingerprint cards to the Illinois State Police
3 that are required for the criminal background investigations.
4 The employer shall certify in writing to the Secretary of
5 State that all pre-employment conditions have been
6 successfully completed including the successful completion of
7 an Illinois specific criminal background investigation through
8 the Illinois State Police and the submission of necessary
9 fingerprints to the Federal Bureau of Investigation for
10 criminal history information available through the Federal
11 Bureau of Investigation system. The applicant shall present
12 the certification to the Secretary of State at the time of
13 submitting the school bus driver permit application.

14 (e) Permits shall initially be provisional upon receiving
15 certification from the employer that all pre-employment
16 conditions have been successfully completed, and upon
17 successful completion of all training and examination
18 requirements for the classification of the vehicle to be
19 operated, the Secretary of State shall provisionally issue a
20 School Bus Driver Permit. The permit shall remain in a
21 provisional status pending the completion of the Federal
22 Bureau of Investigation's criminal background investigation
23 based upon fingerprinting specimens submitted to the Federal
24 Bureau of Investigation by the Illinois State Police. The
25 Federal Bureau of Investigation shall report the findings
26 directly to the Secretary of State. The Secretary of State

1 shall remove the bus driver permit from provisional status
2 upon the applicant's successful completion of the Federal
3 Bureau of Investigation's criminal background investigation.

4 (f) A school bus driver permit holder shall notify the
5 employer and the Secretary of State if he or she is issued an
6 order of court supervision for or convicted in another state
7 of an offense that would make him or her ineligible for a
8 permit under subsection (a) of this Section. The written
9 notification shall be made within 5 days of the entry of the
10 order of court supervision or conviction. Failure of the
11 permit holder to provide the notification is punishable as a
12 petty offense for a first violation and a Class B misdemeanor
13 for a second or subsequent violation.

14 (g) Cancellation; suspension; notice and procedure.

15 (1) The Secretary of State shall cancel a school bus
16 driver permit of an applicant whose criminal background
17 investigation discloses that he or she is not in
18 compliance with the provisions of subsection (a) of this
19 Section.

20 (2) The Secretary of State shall cancel a school bus
21 driver permit when he or she receives notice that the
22 permit holder fails to comply with any provision of this
23 Section or any rule promulgated for the administration of
24 this Section.

25 (3) The Secretary of State shall cancel a school bus
26 driver permit if the permit holder's restricted commercial

1 or commercial driving privileges are withdrawn or
2 otherwise invalidated.

3 (4) The Secretary of State may not issue a school bus
4 driver permit for a period of 3 years to an applicant who
5 fails to obtain a negative result on a drug test as
6 required in item 6 of subsection (a) of this Section or
7 under federal law.

8 (5) The Secretary of State shall forthwith suspend a
9 school bus driver permit for a period of 3 years upon
10 receiving notice that the holder has failed to obtain a
11 negative result on a drug test as required in item 6 of
12 subsection (a) of this Section or under federal law.

13 (6) The Secretary of State shall suspend a school bus
14 driver permit for a period of 3 years upon receiving
15 notice from the employer that the holder failed to perform
16 the inspection procedure set forth in subsection (a) or
17 (b) of Section 12-816 of this Code.

18 (7) The Secretary of State shall suspend a school bus
19 driver permit for a period of 3 years upon receiving
20 notice from the employer that the holder refused to submit
21 to an alcohol or drug test as required by Section 6-106.1c
22 or has submitted to a test required by that Section which
23 disclosed an alcohol concentration of more than 0.00 or
24 disclosed a positive result on a National Institute on
25 Drug Abuse five-drug panel, utilizing federal standards
26 set forth in 49 CFR 40.87.

1 The Secretary of State shall notify the State
2 Superintendent of Education and the permit holder's
3 prospective or current employer that the applicant (1) has
4 failed a criminal background investigation or (2) is no longer
5 eligible for a school bus driver permit; and of the related
6 cancellation of the applicant's provisional school bus driver
7 permit. The cancellation shall remain in effect pending the
8 outcome of a hearing pursuant to Section 2-118 of this Code.
9 The scope of the hearing shall be limited to the issuance
10 criteria contained in subsection (a) of this Section. A
11 petition requesting a hearing shall be submitted to the
12 Secretary of State and shall contain the reason the individual
13 feels he or she is entitled to a school bus driver permit. The
14 permit holder's employer shall notify in writing to the
15 Secretary of State that the employer has certified the removal
16 of the offending school bus driver from service prior to the
17 start of that school bus driver's next work shift. An
18 employing school board that fails to remove the offending
19 school bus driver from service is subject to the penalties
20 defined in Section 3-14.23 of the School Code. A school bus
21 contractor who violates a provision of this Section is subject
22 to the penalties defined in Section 6-106.11.

23 All valid school bus driver permits issued under this
24 Section prior to January 1, 1995, shall remain effective until
25 their expiration date unless otherwise invalidated.

26 (h) When a school bus driver permit holder who is a service

1 member is called to active duty, the employer of the permit
2 holder shall notify the Secretary of State, within 30 days of
3 notification from the permit holder, that the permit holder
4 has been called to active duty. Upon notification pursuant to
5 this subsection, (i) the Secretary of State shall characterize
6 the permit as inactive until a permit holder renews the permit
7 as provided in subsection (i) of this Section, and (ii) if a
8 permit holder fails to comply with the requirements of this
9 Section while called to active duty, the Secretary of State
10 shall not characterize the permit as invalid.

11 (i) A school bus driver permit holder who is a service
12 member returning from active duty must, within 90 days, renew
13 a permit characterized as inactive pursuant to subsection (h)
14 of this Section by complying with the renewal requirements of
15 subsection (b) of this Section.

16 (j) For purposes of subsections (h) and (i) of this
17 Section:

18 "Active duty" means active duty pursuant to an executive
19 order of the President of the United States, an act of the
20 Congress of the United States, or an order of the Governor.

21 "Service member" means a member of the Armed Services or
22 reserve forces of the United States or a member of the Illinois
23 National Guard.

24 (k) A private carrier employer of a school bus driver
25 permit holder, having satisfied the employer requirements of
26 this Section, shall be held to a standard of ordinary care for

1 intentional acts committed in the course of employment by the
2 bus driver permit holder. This subsection (k) shall in no way
3 limit the liability of the private carrier employer for
4 violation of any provision of this Section or for the
5 negligent hiring or retention of a school bus driver permit
6 holder.

7 (Source: P.A. 102-168, eff. 7-27-21; 102-299, eff. 8-6-21;
8 102-538, eff. 8-20-21; 102-726, eff. 1-1-23; 102-813, eff.
9 5-13-22; 102-982, eff. 7-1-23; 102-1130, eff. 7-1-23; 103-605,
10 eff. 7-1-24; 103-825, eff. 1-1-25.)