



Rep. Tracy Katz Muhl

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10400HB2962ham001

LRB104 10787 LNS 25183 a

1 AMENDMENT TO HOUSE BILL 2962

2 AMENDMENT NO. _____. Amend House Bill 2962 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 6-106.1 and 11-1414.1 as follows:

6 (625 ILCS 5/6-106.1)

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

8 (a) The Secretary of State shall issue a school bus driver
9 permit for the operation of first or second division vehicles
10 being operated as school buses, ~~or~~ a permit valid only for the
11 operation of first division vehicles being operated as school
12 buses, or a school bus permit with a restriction valid for the
13 operation of a first division vehicle being operated as a
14 school bus or a multifunction school activity bus designed to
15 carry up to 15 passengers, including the driver, when being
16 used for curriculum-related activities as set forth in Section

1 11-1414.1 of this Code, to those applicants who have met all
2 the requirements of the application and screening process
3 under this Section to insure the welfare and safety of
4 children who are transported on school buses throughout the
5 State of Illinois. Applicants shall obtain the proper
6 application required by the Secretary of State from their
7 prospective or current employer and submit the completed
8 application to the prospective or current employer along with
9 the necessary fingerprint submission as required by the
10 Illinois State Police to conduct fingerprint-based criminal
11 background checks on current and future information available
12 in the State system and current information available through
13 the Federal Bureau of Investigation's system. Applicants who
14 have completed the fingerprinting requirements shall not be
15 subjected to the fingerprinting process when applying for
16 subsequent permits or submitting proof of successful
17 completion of the annual refresher course. Individuals who on
18 July 1, 1995 (the effective date of Public Act 88-612) possess
19 a valid school bus driver permit that has been previously
20 issued by the appropriate Regional School Superintendent are
21 not subject to the fingerprinting provisions of this Section
22 as long as the permit remains valid and does not lapse. The
23 applicant shall be required to pay all related application and
24 fingerprinting fees as established by rule, including, but not
25 limited to, the amounts established by the Illinois State
26 Police and the Federal Bureau of Investigation to process

1 fingerprint-based criminal background investigations. All fees
2 paid for fingerprint processing services under this Section
3 shall be deposited into the State Police Services Fund for the
4 cost incurred in processing the fingerprint-based criminal
5 background investigations. All other fees paid under this
6 Section shall be deposited into the Road Fund for the purpose
7 of defraying the costs of the Secretary of State in
8 administering this Section. All applicants must:

9 1. be 21 years of age or older;

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

12 3. possess a valid driver's license, which has not
13 been revoked, suspended, or canceled for 3 years
14 immediately prior to the date of application, or have not
15 had his or her commercial motor vehicle driving privileges
16 disqualified within the 3 years immediately prior to the
17 date of application;

18 4. successfully pass a first division or second
19 division written test, administered by the Secretary of
20 State, on school bus operation, school bus safety, and
21 special traffic laws relating to school buses and submit
22 to a review of the applicant's driving habits by the
23 Secretary of State at the time the written test is given;

24 5. demonstrate ability to exercise reasonable care in
25 the operation of school buses in accordance with rules
26 promulgated by the Secretary of State;

1 6. demonstrate physical fitness to operate school
2 buses by submitting the results of a medical examination,
3 including tests for drug use for each applicant not
4 subject to such testing pursuant to federal law, conducted
5 by a licensed physician, a licensed advanced practice
6 registered nurse, or a licensed physician assistant within
7 90 days of the date of application according to standards
8 promulgated by the Secretary of State;

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

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

21 9. not have been under an order of court supervision
22 for or convicted of 2 or more serious traffic offenses, as
23 defined by rule, within one year prior to the date of
24 application that may endanger the life or safety of any of
25 the driver's passengers within the duration of the permit
26 period;

1 10. not have been under an order of court supervision
2 for or convicted of reckless driving, aggravated reckless
3 driving, driving while under the influence of alcohol,
4 other drug or drugs, intoxicating compound or compounds or
5 any combination thereof, or reckless homicide resulting
6 from the operation of a motor vehicle within 3 years of the
7 date of application;

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

1 33A-2, and 33D-1, in subsection (A), clauses (a) and (b),
2 of Section 24-3, and those offenses contained in Article
3 29D of the Criminal Code of 1961 or the Criminal Code of
4 2012; (ii) those offenses defined in the Cannabis Control
5 Act except those offenses defined in subsections (a) and
6 (b) of Section 4, and subsection (a) of Section 5 of the
7 Cannabis Control Act; (iii) those offenses defined in the
8 Illinois Controlled Substances Act; (iv) those offenses
9 defined in the Methamphetamine Control and Community
10 Protection Act; (v) any offense committed or attempted in
11 any other state or against the laws of the United States,
12 which if committed or attempted in this State would be
13 punishable as one or more of the foregoing offenses; (vi)
14 the offenses defined in Section 4.1 and 5.1 of the Wrongs
15 to Children Act or Section 11-9.1A of the Criminal Code of
16 1961 or the Criminal Code of 2012; (vii) those offenses
17 defined in Section 6-16 of the Liquor Control Act of 1934;
18 and (viii) those offenses defined in the Methamphetamine
19 Precursor Control Act;

20 12. not have been repeatedly involved as a driver in
21 motor vehicle collisions or been repeatedly convicted of
22 offenses against laws and ordinances regulating the
23 movement of traffic, to a degree which indicates lack of
24 ability to exercise ordinary and reasonable care in the
25 safe operation of a motor vehicle or disrespect for the
26 traffic laws and the safety of other persons upon the

1 highway;

2 13. not have, through the unlawful operation of a
3 motor vehicle, caused a crash resulting in the death of
4 any person;

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

8 15. consent, in writing, to the release of results of
9 reasonable suspicion drug and alcohol testing under
10 Section 6-106.1c of this Code by the employer of the
11 applicant to the Secretary of State; and

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

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

25 (a-10) By January 1, 2024, the Secretary of State, in
26 conjunction with the Illinois State Board of Education, shall

1 develop a separate classroom course and refresher course for
2 operation of vehicles of the first division being operated as
3 school buses. Regional superintendents of schools, working
4 with the Illinois State Board of Education, shall offer the
5 course.

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

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

15 (d) The employer shall be responsible for conducting a
16 pre-employment interview with prospective school bus driver
17 candidates, distributing school bus driver applications and
18 medical forms to be completed by the applicant, and submitting
19 the applicant's fingerprint cards to the Illinois State Police
20 that are required for the criminal background investigations.
21 The employer shall certify in writing to the Secretary of
22 State that all pre-employment conditions have been
23 successfully completed including the successful completion of
24 an Illinois specific criminal background investigation through
25 the Illinois State Police and the submission of necessary
26 fingerprints to the Federal Bureau of Investigation for

1 criminal history information available through the Federal
2 Bureau of Investigation system. The applicant shall present
3 the certification to the Secretary of State at the time of
4 submitting the school bus driver permit application.

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

21 (f) A school bus driver permit holder shall notify the
22 employer and the Secretary of State if he or she is issued an
23 order of court supervision for or convicted in another state
24 of an offense that would make him or her ineligible for a
25 permit under subsection (a) of this Section. The written
26 notification shall be made within 5 days of the entry of the

1 order of court supervision or conviction. Failure of the
2 permit holder to provide the notification is punishable as a
3 petty offense for a first violation and a Class B misdemeanor
4 for a second or subsequent violation.

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

6 (1) The Secretary of State shall cancel a school bus
7 driver permit of an applicant whose criminal background
8 investigation discloses that he or she is not in
9 compliance with the provisions of subsection (a) of this
10 Section.

11 (2) The Secretary of State shall cancel a school bus
12 driver permit when he or she receives notice that the
13 permit holder fails to comply with any provision of this
14 Section or any rule promulgated for the administration of
15 this Section.

16 (3) The Secretary of State shall cancel a school bus
17 driver permit if the permit holder's restricted commercial
18 or commercial driving privileges are withdrawn or
19 otherwise invalidated.

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

25 (5) The Secretary of State shall forthwith suspend a
26 school bus driver permit for a period of 3 years upon

1 receiving notice that the holder has failed to obtain a
2 negative result on a drug test as required in item 6 of
3 subsection (a) of this Section or under federal law.

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

9 (7) The Secretary of State shall suspend a school bus
10 driver permit for a period of 3 years upon receiving
11 notice from the employer that the holder refused to submit
12 to an alcohol or drug test as required by Section 6-106.1c
13 or has submitted to a test required by that Section which
14 disclosed an alcohol concentration of more than 0.00 or
15 disclosed a positive result on a National Institute on
16 Drug Abuse five-drug panel, utilizing federal standards
17 set forth in 49 CFR 40.87.

18 The Secretary of State shall notify the State
19 Superintendent of Education and the permit holder's
20 prospective or current employer that the applicant (1) has
21 failed a criminal background investigation or (2) is no longer
22 eligible for a school bus driver permit; and of the related
23 cancellation of the applicant's provisional school bus driver
24 permit. The cancellation shall remain in effect pending the
25 outcome of a hearing pursuant to Section 2-118 of this Code.
26 The scope of the hearing shall be limited to the issuance

1 criteria contained in subsection (a) of this Section. A
2 petition requesting a hearing shall be submitted to the
3 Secretary of State and shall contain the reason the individual
4 feels he or she is entitled to a school bus driver permit. The
5 permit holder's employer shall notify in writing to the
6 Secretary of State that the employer has certified the removal
7 of the offending school bus driver from service prior to the
8 start of that school bus driver's next work shift. An
9 employing school board that fails to remove the offending
10 school bus driver from service is subject to the penalties
11 defined in Section 3-14.23 of the School Code. A school bus
12 contractor who violates a provision of this Section is subject
13 to the penalties defined in Section 6-106.11.

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

17 (h) When a school bus driver permit holder who is a service
18 member is called to active duty, the employer of the permit
19 holder shall notify the Secretary of State, within 30 days of
20 notification from the permit holder, that the permit holder
21 has been called to active duty. Upon notification pursuant to
22 this subsection, (i) the Secretary of State shall characterize
23 the permit as inactive until a permit holder renews the permit
24 as provided in subsection (i) of this Section, and (ii) if a
25 permit holder fails to comply with the requirements of this
26 Section while called to active duty, the Secretary of State

1 shall not characterize the permit as invalid.

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

7 (j) For purposes of subsections (h) and (i) of this
8 Section:

9 "Active duty" means active duty pursuant to an executive
10 order of the President of the United States, an act of the
11 Congress of the United States, or an order of the Governor.

12 "Service member" means a member of the Armed Services or
13 reserve forces of the United States or a member of the Illinois
14 National Guard.

15 (k) A private carrier employer of a school bus driver
16 permit holder, having satisfied the employer requirements of
17 this Section, shall be held to a standard of ordinary care for
18 intentional acts committed in the course of employment by the
19 bus driver permit holder. This subsection (k) shall in no way
20 limit the liability of the private carrier employer for
21 violation of any provision of this Section or for the
22 negligent hiring or retention of a school bus driver permit
23 holder.

24 (l) The Secretary may adopt rules to implement this
25 Section.

26 (Source: P.A. 102-168, eff. 7-27-21; 102-299, eff. 8-6-21;

1 102-538, eff. 8-20-21; 102-726, eff. 1-1-23; 102-813, eff.
2 5-13-22; 102-982, eff. 7-1-23; 102-1130, eff. 7-1-23; 103-605,
3 eff. 7-1-24; 103-825, eff. 1-1-25.)

4 (625 ILCS 5/11-1414.1) (from Ch. 95 1/2, par. 11-1414.1)
5 Sec. 11-1414.1. School transportation of students.

6 (a) Every student enrolled in grade 12 or below in any
7 entity listed in subsection (a) of Section 1-182 of this Code
8 must be transported in a school bus or a vehicle described in
9 subdivision (1) or (2) of subsection (b) of Section 1-182 of
10 this Code for any curriculum-related school activity, except a
11 student in any of grades 9 through 12 or a student in any of
12 grades K through 12 with an Individualized Education Plan
13 (IEP) with a staff to student ratio of 1 to 5, and attending
14 Acacia Academy, Alexander Leigh, Marklund, Helping Hands
15 Center, Connections Organization, Soaring Eagle Academy, or
16 New Horizon Academy may be transported in a multifunction
17 ~~multi-function~~ school activity bus (MFSAB) as defined in
18 Section 1-148.3a-5 of this Code for any curriculum-related
19 activity except for transportation on regular bus routes from
20 home to school or from school to home. The use of a MFSAB for
21 curriculum-related activities is 7 subject to the following
22 conditions:

23 (i) A MFSAB may not be used to transport students
24 under this Section unless the driver holds a valid school
25 bus 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
9 safe school or other school-sponsored alternative learning
10 program, or a trip that is directly related to the regular
11 curriculum of 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,
18 interscholastic-athletic, or school-sponsored,
19 noncurriculum-related activity that (i) does not require
20 student participation as part of the educational services of
21 the entity and (ii) is not associated with the students'
22 regular class-for-credit schedule shall transport students
23 only in a school bus or vehicle described in subsection (b) of
24 Section 1-182 of this Code. A student participating in an
25 agrarian-related activity may also be transported in a second
26 division pick-up truck registered under paragraph 7 of

1 subsection (b) of Section 3-808.1. For purposes of this
2 subsection, "pick-up truck" means a truck weighing 12,000
3 pounds or less with an enclosed cabin that can seat up to 6
4 passengers with seatbelts, including the driver, and an open
5 cargo area. This subsection (b) does not apply to any second
6 division vehicle used by an entity listed in subsection (a) of
7 Section 1-182 of this Code for a parade, homecoming, or a
8 similar noncurriculum-related school activity.

9 (Source: P.A. 102-544, eff. 8-20-21.)

10 Section 99. Effective date. This Act takes effect July 1,
11 2026."