



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3608

Introduced 2/18/2025, by Rep. Jaime M. Andrade, Jr.

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-401 from Ch. 95 1/2, par. 6-401  
625 ILCS 5/6-420.1 new  
625 ILCS 5/6-420.2 new

Amends the Illinois Vehicle Code. Prohibits a person, firm, association, partnership, or corporation from operating a commercial driver training school (rather than a driver training school) or engage in the business of providing any Entry-Level Driver Training or Skills, Road, or Pretrip curriculum for commercial driving for no fee or for a fee involving (1) the driving of motor vehicles or (2) the preparation of an applicant for examination given by the Secretary of State for a driver's license or commercial learner's permit, unless a license therefore has been issued by the Secretary. Requires the Secretary to quarterly review the Federal Motor Carrier Safety Administration's Training Provider Registry and the listing of State licensed commercial driving schools. Provides that any person that violates any provision of the Act in relation to the requirements stated in the Code of Federal Regulations shall be liable for a civil penalty not to exceed \$50,000 for the violation and an additional civil penalty not to exceed \$10,000 for each day during which the violation continues. Allows the State's Attorney of the county in which the violation occurred, the Attorney General, or the Secretary to institute a civil action for an injunction to restrain violations of the Act, any rule adopted under the Act, or any permit or term or condition of a permit or to require such other actions as may be necessary to address violations of the Act, any rule adopted under the Act, any permit or term or condition of a permit, or order. Provides that all funds collected shall be deposited into the Motor Carrier Safety Inspection Fund.

LRB104 10194 LNS 20266 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 Section 6-401 and by adding Sections 6-420.1 and  
6 6-420.2 as follows:

7 (625 ILCS 5/6-401) (from Ch. 95 1/2, par. 6-401)

8 Sec. 6-401. Driver training schools-license required.

9 (a) No person, firm, association, partnership, or  
10 corporation shall operate a commercial driver training school  
11 ~~driver training school~~ or engage in the business of providing  
12 any Entry-Level Driver Training or Skills, Road, or Pretrip  
13 curriculum for commercial driving ~~giving instruction~~ for no  
14 fee hire or for a fee involving ~~in~~ (1) the driving of motor  
15 vehicles; or (2) the preparation of an applicant for  
16 examination given by the Secretary of State for a drivers  
17 license or commercial learner's permit ~~permit~~, unless a  
18 license therefor has been issued by the Secretary. No public  
19 schools or educational institutions shall contract with  
20 entities engaged in the business of giving instruction for no  
21 fee hire or for a fee in the driving of commercial motor  
22 vehicles for the preparation of an applicant for examination  
23 given by the Secretary of State for a State ~~a~~ driver's license

1 or commercial learner's permit ~~permit~~, unless a license  
2 therefor has been issued by the Secretary.

3 This subsection (a) shall not apply to (i) public schools  
4 or to educational institutions in which driving instruction is  
5 part of the curriculum, (ii) employers with over 500 full-time  
6 employees giving instruction to their employees, (iii) schools  
7 that teach enhanced driving skills to licensed drivers as set  
8 forth in Article X of Chapter 6 of this Code, or (iv) driver  
9 rehabilitation specialists or programs in which the clients of  
10 the rehabilitation specialists or programs have previously  
11 held driver's licenses.

12 (b) Any person, firm, association, partnership, or  
13 corporation that violates subsection (a) of this Section shall  
14 be guilty of a Class A misdemeanor for a first offense and a  
15 Class 4 felony for a second or subsequent offense.

16 (Source: P.A. 102-749, eff. 1-1-23.)

17 (625 ILCS 5/6-420.1 new)

18 Sec. 6-420.1. Inspection of the federal Training Provider  
19 Registry for State licensure. The Secretary shall quarterly  
20 review the Federal Motor Carrier Safety Administration's  
21 Training Provider Registry and the listing of State licensed  
22 commercial driving schools pursuant to this Act.

23 (1) The Secretary shall send a letter to each entity  
24 appearing on the Federal Motor Carrier Safety  
25 Administration's Training Provider Registry that is not in

1 good standing as a licensed commercial driver training  
2 school in Illinois, ordering the entity to cease  
3 operations immediately.

4 (2) The Secretary shall report this finding to the  
5 Federal Motor Carrier Safety Administration per federal  
6 regulations.

7 (3) For the sake of educating members of the motoring  
8 public and individuals seeking a commercial driver  
9 license, the Secretary shall post publicly on the  
10 Secretary's website a listing of all entities cited for  
11 this infraction.

12 (4) If an entity remains in violation of this  
13 subsection for more than 12 weeks, it is subject to  
14 penalties pursuant to Section 420.2.

15 (625 ILCS 5/6-420.2 new)

16 Sec. 6-420.2. Civil penalties for fraudulently attesting  
17 to state licensure.

18 (a) Any person that violates any provision of this Act in  
19 relation to the requirements stated in 49 CFR 380.703 shall be  
20 liable for a civil penalty not to exceed \$50,000 for the  
21 violation and an additional civil penalty not to exceed  
22 \$10,000 for each day during which the violation continues;  
23 such penalties may, upon order of the Secretary or a court of  
24 competent jurisdiction, be made payable to the Motor Carrier  
25 Safety Inspection Fund.

1       (b) The penalties provided for in this Section may be  
2 recovered in a civil action.

3       (c) The State's Attorney of the county in which the  
4 violation occurred, or the Attorney General, may, at the  
5 request of the Secretary or on his or her own motion, institute  
6 a civil action for an injunction, prohibitory or mandatory, to  
7 restrain violations of this Act, any rule adopted under this  
8 Act, or any permit or term or condition of a permit or to  
9 require such other actions as may be necessary to address  
10 violations of this Act, any rule adopted under this Act, any  
11 permit or term or condition of a permit, or order.

12       (d) The State's Attorney of the county in which the  
13 violation occurred, or the Attorney General, shall bring such  
14 actions in the name of the people of the State of Illinois.  
15 Without limiting any other authority which may exist for the  
16 awarding of attorney's fees and costs, the Secretary or a  
17 court of competent jurisdiction may award costs and reasonable  
18 attorney's fees, including the reasonable costs of expert  
19 witnesses and consultants, to the State's Attorney or the  
20 Attorney General in a case where he or she has prevailed  
21 against a person who has committed a willful, knowing, or  
22 repeated violation of this Act, any rule adopted under this  
23 Act, any permit or term or condition of a permit, or any order.

24       (e) Any funds collected under this Section in which the  
25 Attorney General has prevailed shall be deposited in the Motor  
26 Carrier Safety Inspection Fund. Any funds collected under this

1 Section in which a State's Attorney has prevailed shall be  
2 retained by the county in which he or she serves.

3 (f) All final orders imposing civil penalties pursuant to  
4 this Section shall prescribe the time for payment of such  
5 penalties. If any such penalty is not paid within the time  
6 prescribed, interest on such penalty at the rate set forth in  
7 subsection (a) of Section 1003 of the Illinois Income Tax Act,  
8 shall be paid for the period from the date payment is due until  
9 the date payment is received. However, if the time for payment  
10 is stayed during the pendency of an appeal, interest shall not  
11 accrue during such stay.