**Section 380.1010 Definitions**

As used in this Part:

"Alcohol or alcoholic beverage" means:

Beer as defined in 26 USC 5052(a) (Internal Revenue Code of 1954);

Wine of not less than one-half of one per centum of alcohol by volume; or

Distilled spirits as defined in section 5002(a)(8) (Internal Revenue Code of 1954). (49 CFR 383.5)

"Classroom instructor" means a qualified longer combination vehicle (LCV) driver-instructor who provides knowledge instruction that does not involve the actual operation of an LCV or its components. Instruction may take place in a parking lot, garage, or any other facility suitable for instruction. (49 CFR 380.105)

"Commercial driver's license" or "CDL" means a license issued to an individual by a state or other jurisdiction of domicile, in accordance with the standards contained in 49 CFR 383, that authorizes the individual to operate a class of a commercial motor vehicle. (49 CFR 383.5)

"Commercial learner's permit" or "CLP" means a permit issued to an individual by a state or other jurisdiction of domicile, in accordance with the standards contained in 49 CFR 383, that, when carried with a valid driver's license issued by the same state or jurisdiction, authorizes the individual to operate a class of a commercial motor vehicle when accompanied by a holder of a valid CDL for purposes of behind-the-wheel training. When issued to a CDL holder, a CLP serves as authorization for accompanied behind-the-wheel training in a CMV for which the holder's current CDL is not valid. (49 CFR 383.5)

"Commercial motor vehicle" or "CMV" means, for purposes of this Part and 92 Ill. Adm. Code 382 and 383, a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

Has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a towed unit or units with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater; or

Has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 pounds or more), whichever is greater; or

Is designed to transport 16 or more passengers, including the driver; or

Is of any size and is used in the transportation of hazardous materials as defined in this Section. (49 CFR 383.5)

"Controlled substance" has the same meaning ascribed under 21 USC 802(6) and includes all substances listed on schedules I through V of 21 CFR 1308.11 through 1308.15, as they may be amended by the United States Department of Justice. (49 CFR 383.5)

"Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated. (49 CFR 383.5)

"Disqualification" means any of the following three actions:

The suspension, revocation, or cancellation of a CLP or CDL by the state or jurisdiction of issuance.

Any withdrawal of a person's privileges to drive a CMV by a state or other jurisdiction as a result of a violation of state or local law relating to motor vehicle traffic control (other than parking, vehicle weight or vehicle defect violations).

A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a CMV under 49 CFR 391. (49 CFR 383.5)

"Driver's license" means a license issued by a state or other jurisdiction to an individual that authorizes the individual to operate a motor vehicle on the highways. (49 CFR 383.5)

"Employee" means any operator of a CMV, including full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors (while in the course of operating a CMV) who are either directly employed by or under lease to an employer. (49 CFR 383.5)

"Employer" means any person (including the United States, a state, District of Columbia or a political subdivision of a state) who owns or leases a CMV or assigns employees to operate such a vehicle. (49 CFR 383.5)

"Endorsement" means an authorization to an individual's CLP or CDL required to permit the individual to operate certain types of CMVs. (49 CFR 383.5)

"Entry-level driver" means a driver with less than one year of experience operating a CMV with a CDL in interstate or intrastate commerce.

"Entry-level driver training" means training the CDL driver receives in driver qualification requirements, hours of service of drivers, driver wellness, and whistle blower protection as appropriate to the entry-level driver's current position in addition to passing the CDL test. (49 CFR 380.502)

"Hazardous materials" means any material that has been designated as hazardous under 49 USC 5103 and is required to be placarded under subpart F of 49 CFR 172 or any quantity of a material listed as a select agent or toxin in 42 CFR 73. (49 CFR 383.5)

"Longer combination vehicle" or "LCV" means any combination of a truck-tractor and two trailers or semi-trailers that operates on the highways of Illinois with a gross vehicle weight (GVW) greater than 36,288 kilograms (80,000 pounds).

"LCV double" means an LCV consisting of a truck-tractor in combination with two trailers and/or semi-trailers. (49 CFR 380.105)

"LCV triple" means an LCV consisting of a truck-tractor in combination with three trailers and/or semi-trailers. (49 CFR 380.105)

"Motor vehicle" means a vehicle, machine, tractor, trailer, or semi-trailer propelled or drawn by mechanical power used on highways, except that this term does not include a vehicle, machine, tractor, trailer, or semi-trailer operated exclusively on a rail. (49 CFR 383.5)

"Qualified LCV driver-instructor" means an instructor meeting the requirements contained in 49 CFR 380, subpart C. There are two types of qualified LCV driver-instructors: classroom instructor and skills instructor. (49 CFR 380.105)

"Skills instructor" means a qualified LCV driver-instructor who provides behind-the-wheel instruction involving the actual operation of an LCV or its components outside a classroom. (49 CFR 380.105)

"State" (lower case) means a state of the United States and the District of Columbia. (49 CFR 383.5)

"Tank vehicle" means any CMV that is designed to transport any liquid or gaseous materials within a tank or tanks having an individual rated capacity of more than 119 gallons and an aggregate rated capacity of 1,000 gallons or more that is either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle transporting an empty storage container tank, not designed for transportation, with a rated capacity of 1,000 gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle. (49 CFR 383.5)

"Training institution" means any technical or vocational school accredited by an accrediting institution recognized by the U.S. Department of Education. A motor carrier's training program for its drivers or an entity that exclusively offers services to a single motor carrier is not a training institution. (49 CFR 380.105)

"Vehicle" means a motor vehicle unless otherwise specified. (49 CFR 383.5)

(Source: Amended at 37 Ill. Reg. 18302, effective November 4, 2013)