**Section 1060.5 Definitions**

For purposes of this Part, the following definitions shall apply:

"Administrator" − any individual who is employed by or acts on behalf of a high school who administers a State approved high school driver education program.

"Adult Driver Education Course" − a six hour classroom or online course of driver education for persons ages 18, 19 or 20 offered by an adult driver education course provider.

"Adult Driver Education Course Provider" or "Provider" − an entity certified by the Secretary of State to provide an adult driver education course in a classroom setting, which also may be certified to offer an adult driver education course online.

"Branch Office" – an office of a commercial driver training school in a distinct location from the main office, but that conducts business under the name and as a part of the school as provided in IVC Article IV and that meets the requirements of Section 1060.50.

"Business Day" – any day that the Office of the Secretary of State Commercial Driver School Division is open, i.e., Monday through Saturday, excluding State holidays.

"Cancellation" – the without prejudice annulment or termination by formal action of the Secretary of a driver training school's license or a driver training school instructor's license because of some error or defect in the license or because the licensee is in some form of violation of any of the requirements in the Illinois Vehicle Code or Illinois Administrative Code. The annulment or termination shall not be subject to renewal or restoration, except that an application for a new license shall be presented and acted upon by the Secretary after the licensee demonstrates compliance with the provisions of this Part for which the cancellation was issued.

"CDL Accreditation" – the accreditation of a commercial driver training school by the Department that allows the school to offer instruction to students who wish to obtain a CDL and/or endorsement.

"CDL Study Guide" – a study guide, compiled by the Secretary of State from information contained in the Illinois Vehicle Code and 49 CFR 383, that is designed to aid drivers in preparing for a CDL examination.

*"Commercial Driver's License" or "CDL" − a license issued by a state or other jurisdiction, in accordance with the standards contained in 49 CFR 383* (2020; this incorporation includes no later amendments or editions)*, to an individual, which authorizes the individual to operate a certain class of commercial motor vehicle as defined in IVC Section 1-111.6.*

"Commercial Driver Training School" – an entity licensed by the Secretary of State to engage in the business of giving instruction for a fee in the driving of motor vehicles or in the preparation of an applicant for examination given by the Secretary of State for a driver's license or permit. This definition does not include school districts and regional offices of education that share the cost of providing entry-level driving training for current and prospective school bus driver applicants of the district, so long as no fee is charged to the school bus driver applicant.

"Commercial Driver Training Section" – a unit of the Department of Driver Services that oversees the licensing of commercial driving schools and the instructors in commercial driver training schools.

"Commercial Motor Vehicle" or "CMV" – *a motor vehicle used in commerce*, except those referred to in Section 6-500(6)(B) of the Illinois Vehicle Code, *designed to transport passengers or property if*:

*the vehicle has a Gross Vehicle Weight Rating* (GVWR) *of 26,001 pounds* *or more* or a lesser GVWR subsequently determined by federal regulations (49 CFR 383 (2020)); or

any combination of vehicles with *a Gross Combination Weight Rating* (GCWR) *of 26,001 pounds or more*, provided the GVWR of any vehicle or vehicles being towed is *10,001 pounds or more*; or

*the vehicle is designed to transport 16 or more persons*; or

*the vehicle is transporting hazardous materials* and is required to be placarded in accordance with 49 CFR 172, subpart F (2020). [625 ILCS 5/6-500(6)]

"Defined Time Frame Course" – A teen accredited 30 hour classroom course that must be distributed regularly over a minimum period of 4 complete weeks and must have definite starting and completion dates. Students may not be absent for more than 4 class sessions (8 clock hours) of the course.

"Department" – the Department of Driver Services within the Office of the Secretary of State.

"Endorsement" – an indication on the driver's license that the driver has qualified to operate certain types and/or combinations of vehicles, and/or carry specified cargo.

"Enhanced Instruction Report" – a report submitted on a form prescribed by the Department showing the name, address, and number of behind-the-wheel instruction periods taken for every student who has had 25 hours of behind-the-wheel instruction.

*"Entry-level driver training" – the training an entry-level driver receives from an entity listed on the Federal Motor Carrier Safety Administration's Training Provider Registry* (https://tpr.fmcsa.dot.gov/) *prior to:*

*taking the CDL skills test required to receive the Class A or Class B CDL for the first time;*

*taking the CDL skills test required to upgrade to a Class A or Class B CDL; or*

*taking the CDL skills test required to obtain a passenger or school bus endorsement for the first time or the CDL knowledge test required to obtain a hazardous materials endorsement for the first time.* [625 ILCS 5/6-500(15.2)]

"Fraud" – includes anything calculated to deceive, whether it be a single act or combination of circumstances, whether the suppression of truth or the suggestion of what is false, whether it be by direct falsehood or by innuendo, by speech or by silence.

*"Gross Vehicle Weight Rating" or "GVWR" – the value specified by the manufacturer or manufacturers as the maximum loaded weight of a single vehicle. The GVWR of a combination of vehicles (commonly referred to as the "Gross Combination Weight Rating" or "GCWR") is the GVWR of the power unit plus the GVWR of the towed unit or units. In the absence of a value specified by the manufacturer, GCWR is determined by adding the GVWR of the power unit and the total weight of the towed unit and any load on the unit*. [625 ILCS 5/1-124.5]

"Hazardous Materials" – any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 CFR 172 (2020) or any quantity of a material listed as a select agent or toxin in 42 CFR 73 (2020).

"Illinois Vehicle Code" or "Vehicle Code" or "IVC" − 625 ILCS 5.

"Instruction Record" – records kept by the instructor to reflect the number of hours a pupil in a commercial driver training school attends behind-the-wheel and classroom instruction as provided in IVC Section 6-418.

"Main Office" – the primary office of the commercial driver training school that is designed solely for conducting the business of the school as provided in Article IV of the Illinois Driver Licensing Law of the Illinois Vehicle Code.

"Misrepresentation" – a false statement of a substantive fact, or any conduct that leads to a belief of a substantive fact material to proper understanding of the matter in hand, made with intent to deceive or mislead.

"Physical Facilities" – the building and items that constitute part of the building, including the telephone and the furniture.

"Questionnaires" − any and all written examinations and/or forms, including but not limited to the "Illinois Driver's License Written Examination Basic and Classification "D"" and "Identification of Signs, Shapes and Colors" forms.

"Restriction" – the notation on a driver's license or permit indicating requirements deemed applicable to the licensee by the Department to assure safe operation of a motor vehicle.

"Revocation" – the termination by formal action of the Secretary of a commercial driver training school's license or a commercial driver training school instructor's license. The termination shall be subject to renewal or restoration identical to the provisions for revocation of a driver's license as provided in IVC Section 1-176.

"Sequential Module Course" – A teen accredited 30 hour classroom course that students must take in the proper sequential order indicated in the school's classroom content curriculum submitted to and approved by the Secretary of State. The course must be completed within 9 months after the first classroom session attended.

"Sex and Drug Related Offenses" – offenses of criminal sexual assault [720 ILCS 5/12-13], aggravated criminal sexual assault [720 ILCS 5/12-14], criminal sexual abuse [720 ILCS 5/12-15], aggravated criminal sexual abuse [720 ILCS 5/12-16], juvenile pimping [720 ILCS 5/11-19.1], soliciting for a juvenile prostitute [720 ILCS 5/11-15.1], unauthorized manufacture or delivery of a controlled substance, including counterfeit drugs [720 ILCS 570/401], sale, delivery or exchange of instruments used for illegal drug use or abuse [720 ILCS 5/22-51], delivery of a controlled substance, including counterfeit and look alike substances [720 ILCS 570/407], manufacture or delivery of cannabis [720 ILCS 550/5], delivery of cannabis [720 ILCS 550/7], the production of the cannabis plant [720 ILCS 550/8], illegal possession in a motor vehicle of any controlled substance or any cannabis [625 ILCS 5/6-206(a)(28)], the criminal transmission of HIV [720 ILCS 5/12-16.2], exploitation of a child [720 ILCS 5/11-19.2], controlled substance trafficking [720 ILCS 570/401.17], cannabis trafficking [720 ILCS 550/5.1], delivery of cannabis on school grounds [720 ILCS 550/5.2], calculated criminal cannabis conspiracy [720 ILCS 550/9], calculated criminal drug conspiracy [720 ILCS 570/405], and criminal drug conspiracy [720 ILCS 570/405.1].

"Short Review Course" − a course offered by commercial driver training schools to pupils who have previously held or currently hold a valid driver's license and that does not meet the requirement of 6 hours of classroom instruction and 6 hours behind-the-wheel instruction.

"Surety Bond" – a written obligation whereby a person assumes liability for another person's debts or defaults of obligation.

"Suspension" – the procedures for temporary withdrawal of a commercial driver training school's license or commercial driver training school instructor's license identical to the provisions for the suspension of a driver's license as provided in IVC Section 1-204.

"Teen Accreditation" – the accreditation of a commercial driver training school by the Department that allows the school to offer instruction to pupils under age 18.

(Source: Amended at 46 Ill. Reg. 6670, effective April 11, 2022)