

HB2405



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2405

by Rep. Avery Bourne

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-508

from Ch. 95 1/2, par. 6-508

Amends the Illinois Vehicle Code. Provides that the Secretary of State may issue a CDL with an agricultural endorsement to a person without requiring the person to demonstrate competence at parallel parking. Provides that the holder of a CDL with an agricultural endorsement may operate only covered farm vehicles. Effective immediately.

LRB101 07094 TAE 52131 b

A BILL FOR

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 changing
5 Section 6-508 as follows:

6 (625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)
7 Sec. 6-508. Commercial Driver's License (CDL) -
8 qualification standards.

9 (a) Testing.

10 (1) General. No person shall be issued an original or
11 renewal CDL unless that person is domiciled in this State
12 or is applying for a non-domiciled CDL under Sections 6-509
13 and 6-510 of this Code. The Secretary shall cause to be
14 administered such tests as the Secretary deems necessary to
15 meet the requirements of 49 C.F.R. Part 383, subparts F, G,
16 H, and J.

17 (1.5) Effective July 1, 2014, no person shall be issued
18 an original CDL or an upgraded CDL that requires a skills
19 test unless that person has held a CLP, for a minimum of 14
20 calendar days, for the classification of vehicle and
21 endorsement, if any, for which the person is seeking a CDL.

22 (2) Third party testing. The Secretary of State may
23 authorize a "third party tester", pursuant to 49 C.F.R.

1 383.75 and 49 C.F.R. 384.228 and 384.229, to administer the
2 skills test or tests specified by the Federal Motor Carrier
3 Safety Administration pursuant to the Commercial Motor
4 Vehicle Safety Act of 1986 and any appropriate federal
5 rule.

6 (b) Waiver of Skills Test. The Secretary of State may waive
7 the skills test specified in this Section for a driver
8 applicant for a commercial driver license who meets the
9 requirements of 49 C.F.R. 383.77. The Secretary of State shall
10 waive the skills tests specified in this Section for a driver
11 applicant who has military commercial motor vehicle
12 experience, subject to the requirements of 49 C.F.R. 383.77.

13 (b-1) No person shall be issued a CDL unless the person
14 certifies to the Secretary one of the following types of
15 driving operations in which he or she will be engaged:

- 16 (1) non-excepted interstate;
17 (2) non-excepted intrastate;
18 (3) excepted interstate; or
19 (4) excepted intrastate.

20 (b-2) (Blank).

21 (c) Limitations on issuance of a CDL. A CDL shall not be
22 issued to a person while the person is subject to a
23 disqualification from driving a commercial motor vehicle, or
24 unless otherwise permitted by this Code, while the person's
25 driver's license is suspended, revoked or cancelled in any
26 state, or any territory or province of Canada; nor may a CLP or

1 CDL be issued to a person who has a CLP or CDL issued by any
2 other state, or foreign jurisdiction, nor may a CDL be issued
3 to a person who has an Illinois CLP unless the person first
4 surrenders all of these licenses or permits. However, a person
5 may hold an Illinois CLP and an Illinois CDL providing the CLP
6 is necessary to train or practice for an endorsement or vehicle
7 classification not present on the current CDL. No CDL shall be
8 issued to or renewed for a person who does not meet the
9 requirement of 49 CFR 391.41(b)(11). The requirement may be met
10 with the aid of a hearing aid.

11 (c-1) The Secretary may issue a CDL with a school bus
12 driver endorsement to allow a person to drive the type of bus
13 described in subsection (d-5) of Section 6-104 of this Code.
14 The CDL with a school bus driver endorsement may be issued only
15 to a person meeting the following requirements:

16 (1) the person has submitted his or her fingerprints to
17 the Department of State Police in the form and manner
18 prescribed by the Department of State Police. These
19 fingerprints shall be checked against the fingerprint
20 records now and hereafter filed in the Department of State
21 Police and Federal Bureau of Investigation criminal
22 history records databases;

23 (2) the person has passed a written test, administered
24 by the Secretary of State, on charter bus operation,
25 charter bus safety, and certain special traffic laws
26 relating to school buses determined by the Secretary of

1 State to be relevant to charter buses, and submitted to a
2 review of the driver applicant's driving habits by the
3 Secretary of State at the time the written test is given;

4 (3) the person has demonstrated physical fitness to
5 operate school buses by submitting the results of a medical
6 examination, including tests for drug use; and

7 (4) the person has not been convicted of committing or
8 attempting to commit any one or more of the following
9 offenses: (i) those offenses defined in Sections 8-1.2,
10 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2,
11 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20,
12 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6,
13 11-9, 11-9.1, 11-9.3, 11-9.4, 11-14, 11-14.1, 11-14.3,
14 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18,
15 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,
16 11-20.1B, 11-20.3, 11-21, 11-22, 11-23, 11-24, 11-25,
17 11-26, 11-30, 12-2.6, 12-3.1, 12-4, 12-4.1, 12-4.2,
18 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9,
19 12-5.01, 12-6, 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5,
20 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-16.2,
21 12-21.5, 12-21.6, 12-33, 12C-5, 12C-10, 12C-20, 12C-30,
22 12C-45, 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6,
23 20-1, 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2,
24 24-1.2-5, 24-1.6, 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8,
25 24-3.9, 31A-1, 31A-1.1, 33A-2, and 33D-1, and in subsection
26 (b) of Section 8-1, and in subdivisions (a)(1), (a)(2),

1 (b) (1), (e) (1), (e) (2), (e) (3), (e) (4), and (f) (1) of
2 Section 12-3.05, and in subsection (a) and subsection (b),
3 clause (1), of Section 12-4, and in subsection (A), clauses
4 (a) and (b), of Section 24-3, and those offenses contained
5 in Article 29D of the Criminal Code of 1961 or the Criminal
6 Code of 2012; (ii) those offenses defined in the Cannabis
7 Control Act except those offenses defined in subsections
8 (a) and (b) of Section 4, and subsection (a) of Section 5
9 of the Cannabis Control Act; (iii) those offenses defined
10 in the Illinois Controlled Substances Act; (iv) those
11 offenses defined in the Methamphetamine Control and
12 Community Protection Act; (v) any offense committed or
13 attempted in any other state or against the laws of the
14 United States, which if committed or attempted in this
15 State would be punishable as one or more of the foregoing
16 offenses; (vi) the offenses defined in Sections 4.1 and 5.1
17 of the Wrongs to Children Act or Section 11-9.1A of the
18 Criminal Code of 1961 or the Criminal Code of 2012; (vii)
19 those offenses defined in Section 6-16 of the Liquor
20 Control Act of 1934; and (viii) those offenses defined in
21 the Methamphetamine Precursor Control Act.

22 The Department of State Police shall charge a fee for
23 conducting the criminal history records check, which shall be
24 deposited into the State Police Services Fund and may not
25 exceed the actual cost of the records check.

26 (c-2) The Secretary shall issue a CDL with a school bus

1 endorsement to allow a person to drive a school bus as defined
2 in this Section. The CDL shall be issued according to the
3 requirements outlined in 49 C.F.R. 383. A person may not
4 operate a school bus as defined in this Section without a
5 school bus endorsement. The Secretary of State may adopt rules
6 consistent with Federal guidelines to implement this
7 subsection (c-2).

8 (c-3) The Secretary may issue a CDL with an agricultural
9 endorsement to a person without requiring the person to
10 demonstrate competence at parallel parking. The holder of a CDL
11 with an agricultural endorsement may operate only covered farm
12 vehicles.

13 (d) (Blank).

14 (Source: P.A. 97-208, eff. 1-1-12; 97-1108, eff. 1-1-13;
15 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-52, eff.
16 1-1-14; 98-176 (see Section 10 of P.A. 98-722 and Section 10 of
17 P.A. 99-414 for effective date of changes made by 98-176);
18 98-756, eff. 7-16-14.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.