



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3097

Introduced 2/19/2021, by Rep. Sonya M. Harper

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/27-24.1	from Ch. 122, par. 27-24.1
625 ILCS 5/2-112	from Ch. 95 1/2, par. 2-112
625 ILCS 5/6-107.5	

Amends the Driver Education Act of the School Code. Changes the definition of "driver education course" to include a course of instruction in law enforcement procedures during traffic stops, including appropriate interactions with law enforcement officers. Amends the Illinois Vehicle Code. Provides that every adult education course shall include instruction in law enforcement procedures during traffic stops, including appropriate interactions with law enforcement officers. Provides that the Secretary of State, in consultation with the Illinois State Police, shall include in in the Illinois Rules of the Road publication a description of law enforcement procedures during traffic stops and the actions that a motorist should take during a traffic stop, including appropriate interactions with law enforcement officers.

LRB102 16168 RAM 21546 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 School Code is amended by changing Section  
5 27-24.1 as follows:

6 (105 ILCS 5/27-24.1) (from Ch. 122, par. 27-24.1)

7 Sec. 27-24.1. Definitions. As used in the Driver Education  
8 Act unless the context otherwise requires:

9 "State Board" means the State Board of Education.+

10 "Driver education course" and "course" means a course of  
11 instruction in the use and operation of cars, including  
12 instruction in the safe operation of cars and rules of the  
13 road, ~~and~~ the laws of this State relating to motor vehicles,  
14 and law enforcement procedures during traffic stops, including  
15 appropriate interactions with law enforcement officers, which  
16 meets the minimum requirements of this Act and the rules and  
17 regulations issued thereunder by the State Board and has been  
18 approved by the State Board as meeting such requirements.+

19 "Car" means a motor vehicle of the first division as  
20 defined in the Illinois Vehicle Code.+

21 "Motorcycle" or "motor driven cycle" means such a vehicle  
22 as defined in the Illinois Vehicle Code.+

23 "Driver's license" means any license or permit issued by

1 the Secretary of State under Chapter 6 of the Illinois Vehicle  
2 Code.

3 "Distance learning program" means a program of study in  
4 which all participating teachers and students do not  
5 physically meet in the classroom and instead use the Internet,  
6 email, or any other method other than the classroom to provide  
7 instruction.

8 With reference to persons, the singular number includes  
9 the plural and vice versa, and the masculine gender includes  
10 the feminine.

11 (Source: P.A. 101-183, eff. 8-2-19; revised 9-26-19.)

12 Section 10. The Illinois Vehicle Code is amended by  
13 changing Sections 2-112 and 6-107.5 as follows:

14 (625 ILCS 5/2-112) (from Ch. 95 1/2, par. 2-112)

15 Sec. 2-112. Distribution of synopsis laws.

16 (a) The Secretary of State may publish a synopsis or  
17 summary of the laws of this State regulating the operation of  
18 vehicles and may deliver a copy thereof without charge with  
19 each original vehicle registration and with each original  
20 driver's license.

21 (b) The Secretary of State shall make any necessary  
22 revisions in its publications including, but not limited to,  
23 the Illinois Rules of the Road, to accurately conform its  
24 publications to the provisions of the Pedestrians with

1 Disabilities Safety Act.

2 (c) The Secretary of State shall include, in the Illinois  
3 Rules of the Road publication, information advising drivers to  
4 use the Dutch Reach method when opening a vehicle door after  
5 parallel parking on a street (checking the rear-view mirror,  
6 checking the side-view mirror, then opening the door with the  
7 right hand, thereby reducing the risk of injuring a bicyclist  
8 or opening the door in the path a vehicle approaching from  
9 behind).

10 (d) The Secretary of State shall include, in the Illinois  
11 Rules of the Road publication, information advising drivers to  
12 use the zipper merge method when merging into a reduced number  
13 of lanes (drivers in merging lanes are expected to use both  
14 lanes to advance to the lane reduction point and merge at that  
15 location, alternating turns).

16 (e) The Secretary of State, in consultation with the  
17 Illinois State Police, shall include in the Illinois Rules of  
18 the Road publication a description of law enforcement  
19 procedures during traffic stops and the actions that a  
20 motorist should take during a traffic stop, including  
21 appropriate interactions with law enforcement officers.

22 (Source: P.A. 100-770, eff. 1-1-19; 100-962, eff. 1-1-19;  
23 101-174, eff. 1-1-20.)

24 (625 ILCS 5/6-107.5)

25 Sec. 6-107.5. Adult Driver Education Course.

1           (a) The Secretary shall establish by rule the curriculum  
2 and designate the materials to be used in an adult driver  
3 education course. The course shall be at least 6 hours in  
4 length and shall include instruction on traffic laws; highway  
5 signs, signals, and markings that regulate, warn, or direct  
6 traffic; ~~and~~ issues commonly associated with motor vehicle  
7 accidents including poor decision-making, risk taking,  
8 impaired driving, distraction, speed, failure to use a safety  
9 belt, driving at night, failure to yield the right-of-way,  
10 texting while driving, using wireless communication devices,  
11 and alcohol and drug awareness; and instruction on law  
12 enforcement procedures during traffic stops, including actions  
13 that a motorist should take during a traffic stop and  
14 appropriate interactions with law enforcement officers. The  
15 curriculum shall not require the operation of a motor vehicle.

16           (b) The Secretary shall certify course providers. The  
17 requirements to be a certified course provider, the process  
18 for applying for certification, and the procedure for  
19 decertifying a course provider shall be established by rule.

20           (b-5) In order to qualify for certification as an adult  
21 driver education course provider, each applicant must  
22 authorize an investigation that includes a fingerprint-based  
23 background check to determine if the applicant has ever been  
24 convicted of a criminal offense and, if so, the disposition of  
25 any conviction. This authorization shall indicate the scope of  
26 the inquiry and the agencies that may be contacted. Upon

1 receiving this authorization, the Secretary of State may  
2 request and receive information and assistance from any  
3 federal, State, or local governmental agency as part of the  
4 authorized investigation. Each applicant shall submit his or  
5 her fingerprints to the Department of State Police in the form  
6 and manner prescribed by the Department of State Police. These  
7 fingerprints shall be checked against fingerprint records now  
8 and hereafter filed in the Department of State Police and  
9 Federal Bureau of Investigation criminal history record  
10 databases. The Department of State Police shall charge  
11 applicants a fee for conducting the criminal history record  
12 check, which shall be deposited into the State Police Services  
13 Fund and shall not exceed the actual cost of the State and  
14 national criminal history record check. The Department of  
15 State Police shall furnish, pursuant to positive  
16 identification, records of Illinois criminal convictions to  
17 the Secretary and shall forward the national criminal history  
18 record information to the Secretary. Applicants shall pay any  
19 other fingerprint-related fees. Unless otherwise prohibited by  
20 law, the information derived from the investigation, including  
21 the source of the information and any conclusions or  
22 recommendations derived from the information by the Secretary  
23 of State, shall be provided to the applicant upon request to  
24 the Secretary of State prior to any final action by the  
25 Secretary of State on the application. Any criminal conviction  
26 information obtained by the Secretary of State shall be

1 confidential and may not be transmitted outside the Office of  
2 the Secretary of State, except as required by this subsection  
3 (b-5), and may not be transmitted to anyone within the Office  
4 of the Secretary of State except as needed for the purpose of  
5 evaluating the applicant. At any administrative hearing held  
6 under Section 2-118 of this Code relating to the denial,  
7 cancellation, suspension, or revocation of certification of an  
8 adult driver education course provider, the Secretary of State  
9 may utilize at that hearing any criminal history, criminal  
10 conviction, and disposition information obtained under this  
11 subsection (b-5). The information obtained from the  
12 investigation may be maintained by the Secretary of State or  
13 any agency to which the information was transmitted. Only  
14 information and standards which bear a reasonable and rational  
15 relation to the performance of providing adult driver  
16 education shall be used by the Secretary of State. Any  
17 employee of the Secretary of State who gives or causes to be  
18 given away any confidential information concerning any  
19 criminal convictions or disposition of criminal convictions of  
20 an applicant shall be guilty of a Class A misdemeanor unless  
21 release of the information is authorized by this Section.

22 (c) The Secretary may permit a course provider to offer  
23 the course online, if the Secretary is satisfied the course  
24 provider has established adequate procedures for verifying:

- 25 (1) the identity of the person taking the course  
26 online; and

1           (2) the person completes the entire course.

2           (d) The Secretary shall establish a method of electronic  
3 verification of a student's successful completion of the  
4 course.

5           (e) The fee charged by the course provider must bear a  
6 reasonable relationship to the cost of the course. The  
7 Secretary shall post on the Secretary of State's website a  
8 list of approved course providers, the fees charged by the  
9 providers, and contact information for each provider.

10          (f) In addition to any other fee charged by the course  
11 provider, the course provider shall collect a fee of \$5 from  
12 each student to offset the costs incurred by the Secretary in  
13 administering this program. The \$5 shall be submitted to the  
14 Secretary within 14 days of the day on which it was collected.  
15 All such fees received by the Secretary shall be deposited in  
16 the Secretary of State Driver Services Administration Fund.

17          (Source: P.A. 98-167, eff. 7-1-14; 98-876, eff. 1-1-15.)