



Sen. Donald P. DeWitte

**Filed: 4/1/2021**

10200SB0138sam001

LRB102 10506 RAM 24054 a

1 AMENDMENT TO SENATE BILL 138

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 138 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 1-103, 6-401, and 6-419 as follows:

6 (625 ILCS 5/1-103) (from Ch. 95 1/2, par. 1-103)

7 Sec. 1-103. Approved driver education course. (a) Any  
8 course of driver education approved by the State Board of  
9 Education, offered by public or private schools maintaining  
10 grades 9 through 12, and meeting at least the minimum  
11 requirements of the "Driver Education Act", as now or  
12 hereafter amended, (b) any course of driver education offered  
13 by a school licensed to give driver education instructions  
14 under this Act which meets at least the minimum educational  
15 requirements of the "Driver Education Act", as now or  
16 hereafter amended, and is approved by the State Board of

1 Education, (c) any course of driver education given in another  
2 State to an Illinois resident attending school in such State  
3 and approved by the State administrator of the Driver  
4 Education Program of such other State, ~~or~~ (d) any course of  
5 driver education given at a Department of Defense Education  
6 Activity school that is approved by the Department of Defense  
7 Education Activity and taught by an adult driver education  
8 instructor or traffic safety officer, or (e) any course of  
9 driver education, including classroom instruction, provided  
10 virtually via a live webcast taught by a licensed instructor  
11 or via a prerecorded session taught by a licensed instructor  
12 as regulated under Article IV of Chapter 6.

13 (Source: P.A. 96-740, eff. 1-1-10.)

14 (625 ILCS 5/6-401) (from Ch. 95 1/2, par. 6-401)

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

16 (a) No person, firm, association, partnership or  
17 corporation shall operate a driver training school or engage  
18 in the business of giving instruction for hire or for a fee in  
19 (1) the driving of motor vehicles; or (2) the preparation of an  
20 applicant for examination given by the Secretary of State for  
21 a drivers license or permit, unless a license therefor has  
22 been issued by the Secretary. No public schools or educational  
23 institutions shall contract with entities engaged in the  
24 business of giving instruction for hire or for a fee in the  
25 driving of motor vehicles for the preparation of an applicant

1 for examination given by the Secretary of State for a driver's  
2 license or permit, unless a license therefor has been issued  
3 by the Secretary. A person, firm, association, partnership or  
4 corporation licensed by the Secretary of State under this  
5 Section may provide classroom instruction virtually via a live  
6 webcast taught by a licensed instructor or via prerecorded  
7 sessions taught by a licensed instructor.

8 This subsection (a) shall not apply to (i) public schools  
9 or to educational institutions in which driving instruction is  
10 part of the curriculum, (ii) employers giving instruction to  
11 their employees, or (iii) schools that teach enhanced driving  
12 skills to licensed drivers as set forth in Article X of Chapter  
13 6 of this Code.

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

18 (Source: P.A. 100-409, eff. 8-25-17.)

19 (625 ILCS 5/6-419) (from Ch. 95 1/2, par. 6-419)

20 Sec. 6-419. Rules and regulations.

21 (a) The Secretary is authorized to prescribe by rule  
22 standards for the eligibility, conduct and operation of driver  
23 training schools, and instructors and to adopt other  
24 reasonable rules and regulations necessary to carry out the  
25 provisions of this Act. The Secretary may adopt rules

1 exempting particular types of driver training schools from  
2 specific statutory provisions in Sections 6-401 through 6-424,  
3 where application of those provisions would be inconsistent  
4 with the manner of instruction offered by those schools. The  
5 Secretary, in consultation with the State Board of Education,  
6 shall adopt course content standards for driver education for  
7 those persons under the age of 18 years, which shall include  
8 the operation and equipment of motor vehicles. After June 30,  
9 2017, the course content standards for driver education  
10 provided by a driver training school to those persons under  
11 the age of 18 years shall include instruction concerning law  
12 enforcement procedures for traffic stops, including a  
13 demonstration of the proper actions to be taken during a  
14 traffic stop and appropriate interactions with law  
15 enforcement.

16 (b) The Secretary shall permit a licensed commercial  
17 driving training school to offer classroom instruction  
18 virtually via a live webcast taught by a licensed instructor  
19 or via prerecorded sessions taught by a licensed instructor as  
20 regulated under this Article.

21 (Source: P.A. 99-720, eff. 1-1-17.)"