



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4970

Introduced 2/7/2024, by Rep. Patrick Windhorst

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-507
625 ILCS 5/6-508

from Ch. 95 1/2, par. 6-507
from Ch. 95 1/2, par. 6-508

Amends the Illinois Vehicle Code. Provides that a driver of a commercial motor vehicle who hauls harvest goods for a farm is waived from the requirements of provisions concerning a requirement for a commercial driver's license or a commercial learner's permit when the driver: (1) is the owner or an employee of the farm hauling the harvest goods; and (2) is within a 150-mile radius of the farm hauling the harvest goods. Provides that an individual who operates a commercial driver's license for farm vehicles shall be exempt from new testing requirements if the farm vehicle is used in the State and is used for agricultural purposes.

LRB103 36370 MXP 66469 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 Illinois Vehicle Code is amended by
5 changing Sections 6-507 and 6-508 as follows:

6 (625 ILCS 5/6-507) (from Ch. 95 1/2, par. 6-507)

7 Sec. 6-507. Commercial Driver's License (CDL) or
8 Commercial Learner's Permit (CLP) required.

9 (a) Except as expressly permitted by this UCDLA, or when
10 driving pursuant to the issuance of a commercial learner's
11 permit and accompanied by the holder of a CDL valid for the
12 vehicle being driven; no person shall drive a commercial motor
13 vehicle on the highways without:

14 (1) a CDL in the driver's possession;

15 (2) having obtained a CLP or CDL;

16 (3) the proper class of CLP or CDL or endorsements or
17 both for the specific vehicle group being operated or for
18 the passengers or type of cargo being transported; or

19 (4) a copy of a medical variance document, if one
20 exists, such as an exemption letter or a skill performance
21 evaluation certificate.

22 (a-5) A CLP or CDL holder whose CLP or CDL is held by this
23 State or any other state in the course of enforcement of a

1 motor vehicle traffic code and who has not been convicted of a
2 disqualifying offense under 49 C.F.R. 383.51 based on this
3 enforcement, may drive a CMV while holding a dated receipt for
4 the CLP or CDL.

5 (b) Except as otherwise provided by this Code, no person
6 may drive a commercial motor vehicle on the highways while
7 such person's driving privilege, license, or permit is:

8 (1) Suspended, revoked, cancelled, or subject to
9 disqualification. Any person convicted of violating this
10 provision or a similar provision of this or any other
11 state shall have their driving privileges revoked under
12 paragraph 12 of subsection (a) of Section 6-205 of this
13 Code.

14 (2) Subject to or in violation of an "out-of-service"
15 order. Any person who has been issued a CLP or CDL and is
16 convicted of violating this provision or a similar
17 provision of any other state shall be disqualified from
18 operating a commercial motor vehicle under subsection (i)
19 of Section 6-514 of this Code.

20 (3) Subject to or in violation of a driver or vehicle
21 "out of service" order while operating a vehicle designed
22 to transport 16 or more passengers, including the driver,
23 or transporting hazardous materials required to be
24 placarded. Any person who has been issued a CLP or CDL and
25 is convicted of violating this provision or a similar
26 provision of this or any other state shall be disqualified

1 from operating a commercial motor vehicle under subsection
2 (i) of Section 6-514 of this Code.

3 (b-3) Except as otherwise provided by this Code, no person
4 may drive a commercial motor vehicle on the highways during a
5 period which the commercial motor vehicle or the motor carrier
6 operation is subject to an "out-of-service" order. Any person
7 who is convicted of violating this provision or a similar
8 provision of any other state shall be disqualified from
9 operating a commercial motor vehicle under subsection (i) of
10 Section 6-514 of this Code.

11 (b-5) Except as otherwise provided by this Code, no person
12 may operate a vehicle designed to transport 16 or more
13 passengers including the driver or hazardous materials of a
14 type or quantity that requires the vehicle to be placarded
15 during a period in which the commercial motor vehicle or the
16 motor carrier operation is subject to an "out-of-service"
17 order. Any person who is convicted of violating this provision
18 or a similar provision of any other state shall be
19 disqualified from operating a commercial motor vehicle under
20 subsection (i) of Section 6-514 of this Code.

21 (c) Pursuant to the options provided to the States by FHWA
22 Docket No. MC-88-8, the driver of any motor vehicle controlled
23 or operated by or for a farmer is waived from the requirements
24 of this Section, when such motor vehicle is being used to
25 transport: agricultural products; implements of husbandry; or
26 farm supplies; to and from a farm, as long as such movement is

1 not over 150 air miles from the originating farm. This waiver
2 does not apply to the driver of any motor vehicle being used in
3 a common or contract carrier type operation. However, for
4 those drivers of any truck-tractor semitrailer combination or
5 combinations registered under subsection (c) of Section 3-815
6 of this Code, this waiver shall apply only when the driver is a
7 farmer or a member of the farmer's family and the driver is 21
8 years of age or more and has successfully completed any tests
9 the Secretary of State deems necessary.

10 In addition, the farmer or a member of the farmer's family
11 who operates a truck-tractor semitrailer combination or
12 combinations pursuant to this waiver shall be granted all of
13 the rights and shall be subject to all of the duties and
14 restrictions with respect to Sections 6-514 and 6-515 of this
15 Code applicable to the driver who possesses a commercial
16 driver's license issued under this Code, except that the
17 driver shall not be subject to any additional duties or
18 restrictions contained in Part 382 of the Federal Motor
19 Carrier Safety Regulations that are not otherwise imposed
20 under Section 6-514 or 6-515 of this Code.

21 For purposes of this subsection (c), a member of the
22 farmer's family is a natural or in-law spouse, child, parent,
23 or sibling.

24 As required under the Code of Federal Regulations 49 CFR
25 390.39, an operator of a covered farm vehicle, as defined
26 under Section 18b-101 of this Code, is exempt from the

1 requirements of this Section. However, for drivers of any
2 truck-tractor semitrailer combination or combinations
3 operating as a covered farm vehicle, the driver must
4 successfully complete any tests the Secretary of State deems
5 necessary. When operating any truck-tractor semitrailer
6 combination as a covered farm vehicle, the exemption applies
7 only to persons age 21 or older, if operating the vehicle in
8 interstate driving, and to persons at least 18 years of age, if
9 operating the vehicle in intrastate driving. The Secretary may
10 adopt rules necessary to implement this Section.

11 (c-5) An employee of a township or road district with a
12 population of less than 3,000 operating a vehicle within the
13 boundaries of the township or road district for the purpose of
14 removing snow or ice from a roadway by plowing, sanding, or
15 salting is waived from the requirements of this Section when
16 the employee is needed to operate the vehicle because the
17 employee of the township or road district who ordinarily
18 operates the vehicle and who has a commercial driver's license
19 is unable to operate the vehicle or is in need of additional
20 assistance due to a snow emergency.

21 (c-10) A driver of a commercial motor vehicle used
22 primarily in the transportation of propane winter heating fuel
23 or a driver of a motor vehicle used to respond to a pipeline
24 emergency is waived from the requirements of this Section if
25 such requirements would prevent the driver from responding to
26 an emergency condition requiring immediate response as defined

1 in 49 C.F.R. Part 390.5.

2 (c-15) A driver of a commercial motor vehicle who hauls
3 harvest goods for a farm is waived from the requirements of
4 this Section when the driver:

5 (1) is the owner or an employee of the farm hauling the
6 harvest goods; and

7 (2) is within a 150-mile radius of the farm hauling
8 the harvest goods.

9 (d) Any person convicted of violating this Section, shall
10 be guilty of a Class A misdemeanor.

11 (e) Any person convicted of violating paragraph (1) of
12 subsection (b) of this Section, shall have all driving
13 privileges revoked by the Secretary of State.

14 (f) This Section shall not apply to:

15 (1) A person who currently holds a valid Illinois
16 driver's license, for the type of vehicle being operated,
17 until the expiration of such license or April 1, 1992,
18 whichever is earlier; or

19 (2) A non-Illinois domiciliary who is properly
20 licensed in another State, until April 1, 1992. A
21 non-Illinois domiciliary, if such domiciliary is properly
22 licensed in another State or foreign jurisdiction, until
23 April 1, 1992.

24 (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and
25 Section 10 of P.A. 99-414 for the effective date of changes
26 made by P.A. 98-176); 99-57, eff. 7-16-15; 99-607, eff.

1 7-22-16.)

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

5 (a) Testing.

6 (1) General. No person shall be issued an original or
7 renewal CDL unless that person is domiciled in this State
8 or is applying for a non-domiciled CDL under Sections
9 6-509 and 6-510 of this Code. The Secretary shall cause to
10 be administered such tests as the Secretary deems
11 necessary to meet the requirements of 49 CFR Part 383,
12 subparts F, G, H, and J.

13 (1.5) Effective July 1, 2014, no person shall be
14 issued an original CDL or an upgraded CDL that requires a
15 skills test unless that person has held a CLP, for a
16 minimum of 14 calendar days, for the classification of
17 vehicle and endorsement, if any, for which the person is
18 seeking a CDL.

19 (2) Third party testing. The Secretary of State may
20 authorize a "third party tester", pursuant to 49 CFR
21 383.75 and 49 CFR 384.228 and 384.229, to administer the
22 skills test or tests specified by the Federal Motor
23 Carrier Safety Administration pursuant to the Commercial
24 Motor Vehicle Safety Act of 1986 and any appropriate
25 federal rule.

1 (3) (i) Effective February 7, 2020, unless the person
2 is exempted by 49 CFR 380.603, no person shall be issued an
3 original (first time issuance) CDL, an upgraded CDL or a
4 school bus (S), passenger (P), or hazardous Materials (H)
5 endorsement unless the person has successfully completed
6 entry-level driver training (ELDT) taught by a training
7 provider listed on the federal Training Provider Registry.

8 (ii) Persons who obtain a CLP before February 7, 2020
9 are not required to complete ELDT if the person obtains a
10 CDL before the CLP or renewed CLP expires.

11 (iii) Except for persons seeking the H endorsement,
12 persons must complete the theory and behind-the-wheel
13 (range and public road) portions of ELDT within one year
14 of completing the first portion.

15 (iv) The Secretary shall adopt rules to implement this
16 subsection.

17 (b) Waiver of Skills Test. The Secretary of State may
18 waive the skills test specified in this Section for a driver
19 applicant for a commercial driver license who meets the
20 requirements of 49 CFR 383.77. The Secretary of State shall
21 waive the skills tests specified in this Section for a driver
22 applicant who has military commercial motor vehicle
23 experience, subject to the requirements of 49 CFR 383.77.

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

- 1 (1) non-excepted interstate;
- 2 (2) non-excepted intrastate;
- 3 (3) excepted interstate; or
- 4 (4) excepted intrastate.

5 (b-2) (Blank).

6 (b-3) Exemption from new testing requirements for farm
7 vehicles. An individual who operates a commercial driver's
8 license for farm vehicles shall be exempt from new testing
9 requirements if the farm vehicle is used in the State and is
10 used for agricultural purposes.

11 (c) Limitations on issuance of a CDL. A CDL shall not be
12 issued to a person while the person is subject to a
13 disqualification from driving a commercial motor vehicle, or
14 unless otherwise permitted by this Code, while the person's
15 driver's license is suspended, revoked, or cancelled in any
16 state, or any territory or province of Canada; nor may a CLP or
17 CDL be issued to a person who has a CLP or CDL issued by any
18 other state, or foreign jurisdiction, nor may a CDL be issued
19 to a person who has an Illinois CLP unless the person first
20 surrenders all of these licenses or permits. However, a person
21 may hold an Illinois CLP and an Illinois CDL providing the CLP
22 is necessary to train or practice for an endorsement or
23 vehicle classification not present on the current CDL. No CDL
24 shall be issued to or renewed for a person who does not meet
25 the requirement of 49 CFR 391.41(b)(11). The requirement may
26 be met with the aid of a hearing aid.

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

6 (1) the person has submitted his or her fingerprints
7 to the Illinois State Police in the form and manner
8 prescribed by the Illinois State Police. These
9 fingerprints shall be checked against the fingerprint
10 records now and hereafter filed in the Illinois State
11 Police and Federal Bureau of Investigation criminal
12 history records databases;

13 (2) the person has passed a written test, administered
14 by the Secretary of State, on charter bus operation,
15 charter bus safety, and certain special traffic laws
16 relating to school buses determined by the Secretary of
17 State to be relevant to charter buses, and submitted to a
18 review of the driver applicant's driving habits by the
19 Secretary of State at the time the written test is given;

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

23 (4) the person has not been convicted of committing or
24 attempting to commit any one or more of the following
25 offenses: (i) those offenses defined in Sections 8-1.2,
26 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2,

1 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20,
2 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6,
3 11-9, 11-9.1, 11-9.3, 11-9.4, 11-14, 11-14.1, 11-14.3,
4 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18,
5 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,
6 11-20.1B, 11-20.3, 11-21, 11-22, 11-23, 11-24, 11-25,
7 11-26, 11-30, 12-2.6, 12-3.1, 12-3.3, 12-4, 12-4.1,
8 12-4.2, 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7,
9 12-4.9, 12-6, 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5,
10 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-21.5,
11 12-21.6, 12-33, 12C-5, 12C-10, 12C-20, 12C-30, 12C-45,
12 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1,
13 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2,
14 24-1.2-5, 24-1.6, 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8,
15 24-3.9, 31A-1, 31A-1.1, 33A-2, and 33D-1, and in
16 subsection (b) of Section 8-1, and in subdivisions (a)(1),
17 (a)(2), (b)(1), (e)(1), (e)(2), (e)(3), (e)(4), and (f)(1)
18 of Section 12-3.05, and in subsection (a) and subsection
19 (b), clause (1), of Section 12-4, and in subsection (A),
20 clauses (a) and (b), of Section 24-3, and those offenses
21 contained in Article 29D of the Criminal Code of 1961 or
22 the Criminal Code of 2012; (ii) those offenses defined in
23 the Cannabis Control Act except those offenses defined in
24 subsections (a) and (b) of Section 4, and subsection (a)
25 of Section 5 of the Cannabis Control Act; (iii) those
26 offenses defined in the Illinois Controlled Substances

1 Act; (iv) those offenses defined in the Methamphetamine
2 Control and Community Protection Act; (v) any offense
3 committed or attempted in any other state or against the
4 laws of the United States, which if committed or attempted
5 in this State would be punishable as one or more of the
6 foregoing offenses; (vi) the offenses defined in Sections
7 4.1 and 5.1 of the Wrongs to Children Act or Section
8 11-9.1A of the Criminal Code of 1961 or the Criminal Code
9 of 2012; (vii) those offenses defined in Section 6-16 of
10 the Liquor Control Act of 1934; and (viii) those offenses
11 defined in the Methamphetamine Precursor Control Act.

12 The Illinois State Police shall charge a fee for
13 conducting the criminal history records check, which shall be
14 deposited into the State Police Services Fund and may not
15 exceed the actual cost of the records check.

16 (c-2) The Secretary shall issue a CDL with a school bus
17 endorsement to allow a person to drive a school bus as defined
18 in this Section. The CDL shall be issued according to the
19 requirements outlined in 49 CFR 383. A person may not operate a
20 school bus as defined in this Section without a school bus
21 endorsement. The Secretary of State may adopt rules consistent
22 with Federal guidelines to implement this subsection (c-2).

23 (d) (Blank).

24 (Source: P.A. 101-185, eff. 1-1-20; 102-168, eff. 7-27-21;
25 102-299, eff. 8-6-21; 102-538, eff. 8-20-21; 102-813, eff.
26 5-13-22.)