

1 AN ACT in relation to vehicles.

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 adding Section
5 10-20.21a as follows:

6 (105 ILCS 5/10-20.21a new)

7 Sec. 10-20.21a. Contracts for charter bus services. To
8 award contracts for providing charter bus services for the
9 sole purpose of transporting students regularly enrolled in
10 grade 12 or below to or from interscholastic athletic or
11 interscholastic or school sponsored activities.

12 All contracts for providing charter bus services for the
13 sole purpose of transporting students regularly enrolled in
14 grade 12 or below to or from interscholastic athletic or
15 interscholastic or school sponsored activities must contain
16 clause (A) as set forth below, except that a contract with an
17 out-of-state company may contain clause (B), as set forth
18 below, or clause (A). The clause must be set forth in the
19 body of the contract in typeface of at least 12 points and
20 all upper case letters:

21 (A) "ALL OF THE CHARTER BUS DRIVERS WHO WILL BE
22 PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE
23 BEFORE ANY SERVICES ARE PROVIDED:

24 (1) SUBMITTED THEIR FINGERPRINTS TO A STATE POLICE
25 AGENCY AND THE FEDERAL BUREAU OF INVESTIGATION FOR A
26 CRIMINAL BACKGROUND CHECK, RESULTING IN A DETERMINATION
27 THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF
28 THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION
29 6-508 OF THE ILLINOIS VEHICLE CODE; AND

30 (2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL
31 BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION,

1 INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY
2 AGENCY."

3 (B) "NOT ALL OF THE CHARTER BUS DRIVERS WHO WILL BE
4 PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE
5 BEFORE ANY SERVICES ARE PROVIDED:

6 (1) SUBMITTED THEIR FINGERPRINTS TO A STATE POLICE
7 AGENCY AND THE FEDERAL BUREAU OF INVESTIGATION FOR A
8 CRIMINAL BACKGROUND CHECK, RESULTING IN A DETERMINATION
9 THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF
10 THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION
11 6-508 OF THE ILLINOIS VEHICLE CODE; AND

12 (2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL
13 BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION,
14 INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY
15 AGENCY."

16 Section 10. The Illinois Vehicle Code is amended by
17 changing Sections 6-104 and 6-508 as follows:

18 (625 ILCS 5/6-104) (from Ch. 95 1/2, par. 6-104)
19 Sec. 6-104. Classification of Driver - Special
20 Restrictions.

21 (a) A driver's license issued under the authority of
22 this Act shall indicate the classification for which the
23 applicant therefor has qualified by examination or by such
24 other means that the Secretary of State shall prescribe.
25 Driver's license classifications shall be prescribed by rule
26 or regulation promulgated by the Secretary of State and such
27 may specify classifications as to operation of motor vehicles
28 of the first division, or of those of the second division,
29 whether operated singly or in lawful combination, and whether
30 for-hire or not-for-hire, and may specify such other
31 classifications as the Secretary deems necessary.

32 No person shall operate a motor vehicle unless such

1 person has a valid license with a proper classification to
2 permit the operation of such vehicle, except that any person
3 may operate a motorized pedalcycle if such person has a valid
4 current Illinois driver's license, regardless of
5 classification.

6 (b) No person who is under the age of 21 years or has
7 had less than 1 year of driving experience shall drive: (1)
8 in connection with the operation of any school, day camp,
9 summer camp, or nursery school, any public or private motor
10 vehicle for transporting children to or from any school, day
11 camp, summer camp, or nursery school, or (2) any motor
12 vehicle of the second division when in use for the
13 transportation of persons for compensation.

14 (c) No person who is under the age of 18 years shall be
15 issued a license for the purpose of transporting property for
16 hire, or for the purpose of transporting persons for
17 compensation in a motor vehicle of the first division.

18 (d) No person shall drive: (1) a school bus when
19 transporting school children unless such person possesses a
20 valid school bus driver permit or is accompanied and
21 supervised, for the specific purpose of training prior to
22 routine operation of a school bus, by a person who has held a
23 valid school bus driver permit for at least one year; or (2)
24 any other vehicle owned or operated by or for a public or
25 private school, or a school operated by a religious
26 institution, where such vehicle is being used over a
27 regularly scheduled route for the transportation of persons
28 enrolled as a student in grade 12 or below, in connection
29 with any activity of the entities unless such person
30 possesses a valid school bus driver permit.

31 (d-5) No person may drive a bus that does not meet the
32 special requirements for school buses provided in Sections
33 12-801, 12-802, 12-803, and 12-805 of this Code that has been
34 chartered for the sole purpose of transporting students

1 regularly enrolled in grade 12 or below to or from
 2 interscholastic athletic or interscholastic or school
 3 sponsored activities unless the person has a valid and
 4 properly classified commercial driver's license as provided
 5 in subsection (c-1) of Section 6-508 of this Code ~~school--bus~~
 6 ~~driver-permit~~ in addition to any other permit or license that
 7 is required to operate that bus. This subsection (d-5) does
 8 not apply to any bus driver employed by a public
 9 transportation provider authorized to conduct local or
 10 interurban transportation of passengers when the bus is not
 11 traveling a specific school bus route but is on a regularly
 12 scheduled route for the transporting of other fare paying
 13 passengers.

14 A person may operate a chartered bus described in this
 15 subsection (d-5) if he or she is not disqualified from
 16 driving a chartered bus of that type and if he or she holds a
 17 CDL that is:

- 18 (1) issued to him or her by any other state or
 19 jurisdiction in accordance with 49 CFR 383;
- 20 (2) not suspended, revoked, or canceled; and
- 21 (3) valid under 49 CFR 383, subpart F, for the type
 22 of vehicle being driven.

23 A person may also operate a chartered bus described in
 24 this subsection (d-5) if he or she holds a valid school bus
 25 driver permit that was issued on or before December 31, 2003.

26 (e) No person shall drive a religious organization bus
 27 unless such person has a valid and properly classified
 28 drivers license or a valid school bus driver permit.

29 (f) No person shall drive a motor vehicle for the
 30 purpose of providing transportation for the elderly in
 31 connection with the activities of any public or private
 32 organization unless such person has a valid and properly
 33 classified driver's license issued by the Secretary of State.

34 (g) No person shall drive a bus which meets the special

1 requirements for school buses provided in Section 12-801,
2 12-802, 12-803 and 12-805 of this Code for the purpose of
3 transporting persons 18 years of age or less in connection
4 with any youth camp licensed under the Youth Camp Act or any
5 child care facility licensed under the Child Care Act of 1969
6 unless such person possesses a valid school bus driver permit
7 or is accompanied and supervised, for the specific purpose of
8 training prior to routine operation of a school bus, by a
9 person who has held a valid school bus driver permit for at
10 least one year; however, a person who has a valid and
11 properly classified driver's license issued by the Secretary
12 of State may operate a school bus for the purpose of
13 transporting persons 18 years of age or less in connection
14 with any such youth camp or child care facility if the
15 "SCHOOL BUS" signs are covered or concealed and the stop
16 signal arm and flashing signal systems are not operable
17 through normal controls.

18 (Source: P.A. 92-849, eff. 1-1-03.)

19 (625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)
20 Sec. 6-508. Commercial Driver's License (CDL) -
21 qualification standards.

22 (a) Testing.

23 (1) General. No person shall be issued an original
24 or renewal CDL unless that person is domiciled in this
25 State. The Secretary shall cause to be administered such
26 tests as the Secretary deems necessary to meet the
27 requirements of 49 C.F.R. Part 383, subparts G and H.

28 (2) Third party testing. The Secretary of state
29 may authorize a "third party tester", pursuant to 49
30 C.F.R. Part 383.75, to administer the skills test or
31 tests specified by Federal Highway Administration
32 pursuant to the Commercial Motor Vehicle Safety Act of
33 1986 and any appropriate federal rule.

1 (b) Waiver of Skills Test. The Secretary of State may
2 waive the skills test specified in this Section for a
3 commercial driver license applicant who meets the
4 requirements of 49 C.F.R. Part 383.77.

5 (c) Limitations on issuance of a CDL. A CDL, or a
6 commercial driver instruction permit, shall not be issued to
7 a person while the person is subject to a disqualification
8 from driving a commercial motor vehicle, or unless otherwise
9 permitted by this Code, while the person's driver's license
10 is suspended, revoked or cancelled in any state, or any
11 territory or province of Canada; nor may a CDL be issued to a
12 person who has a CDL issued by any other state, or foreign
13 jurisdiction, unless the person first surrenders all such
14 licenses. No CDL shall be issued to or renewed for a person
15 who does not meet the requirement of 49 CFR 391.41(b)(11).
16 The requirement may be met with the aid of a hearing aid.

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

22 (1) the person has submitted his or her
23 fingerprints to the Department of State Police for
24 fingerprint based criminal background checks on current
25 and future information available in the state system and
26 current information available through the Federal Bureau
27 of Investigation's system;

28 (2) the person has passed a written test,
29 administered by the Secretary of State, on charter bus
30 operation, charter bus safety, and certain special
31 traffic laws relating to school buses determined by the
32 Secretary of State to be relevant to charter buses, and
33 submitted to a review of the applicant's driving habits
34 by the Secretary of State at the time the written test is

1 given;

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

5 (4) the person has not been convicted of committing
6 or attempting to commit any one or more of the following
7 offenses: (i) those offenses defined in Sections 9-1,
8 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2, 10-3.1,
9 10-4, 10-5, 10-6, 10-7, 11-6, 11-9, 11-9.1, 11-14, 11-15,
10 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2,
11 11-20, 11-20.1, 11-21, 11-22, 12-3.1, 12-4.1, 12-4.2,
12 12-4.3, 12-4.4, 12-4.5, 12-6, 12-6.2, 12-7.1, 12-7.3,
13 12-7.4, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16,
14 12-16.2, 12-21.5, 12-21.6, 12-33, 18-1, 18-2, 18-3, 18-4,
15 18-5, 20-1, 20-1.1, 20-2, 24-1, 24-1.1, 24-1.2, 24-3.3,
16 31A-1, 31A-1.1, and 33A-2, and in subsection (a) and
17 subsection (b), clause (1), of Section 12-4 of the
18 Criminal Code of 1961; (ii) those offenses defined in the
19 Cannabis Control Act except those offenses defined in
20 subsections (a) and (b) of Section 4, and subsection (a)
21 of Section 5 of the Cannabis Control Act; (iii) those
22 offenses defined in the Illinois Controlled Substances
23 Act; (iv) any offense committed or attempted in any other
24 state or against the laws of the United States, which if
25 committed or attempted in this State would be punishable
26 as one or more of the foregoing offenses; (v) the
27 offenses defined in Sections 4.1 and 5.1 of the Wrongs to
28 Children Act and (vi) those offenses defined in Section
29 6-16 of the Liquor Control Act of 1934.

30 (d) Commercial driver instruction permit. A commercial
31 driver instruction permit may be issued to any person holding
32 a valid Illinois driver's license if such person successfully
33 passes such tests as the Secretary determines to be
34 necessary. A commercial driver instruction permit shall not

1 be issued to a person who does not meet the requirements of
2 49 CFR 391.41 (b)(11), except for the renewal of a commercial
3 driver instruction permit for a person who possesses a
4 commercial instruction permit prior to the effective date of
5 this amendatory Act of 1999.

6 (Source: P.A. 91-350, eff. 7-29-99.)