

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 Sections 1-124.5, 3-818, 6-500, 6-507, and 6-508.1 and by  
6 adding Section 1-124.3 as follows:

7 (625 ILCS 5/1-124.3 new)

8 Sec. 1-124.3. Gross Combination Weight Rating (GCWR). GCWR  
9 is the greater of:

10 (1) a value specified by the manufacturer of the power  
11 unit, if such value is displayed on the Federal Motor  
12 Vehicle Safety Standard (FMVSS) certification label  
13 required by the National Highway Traffic Safety  
14 Administration; or

15 (2) the sum of the gross vehicle weight ratings (GVWRs)  
16 or the gross vehicle weights (GVWs) of the power unit and  
17 the towed unit or units, or any combination thereof, that  
18 produces the highest value. Exception: The GCWR of the  
19 power unit will not be used to define a commercial motor  
20 vehicle when the power unit is not towing another vehicle.

21 (625 ILCS 5/1-124.5)

22 Sec. 1-124.5. Gross Vehicle Weight Rating (GVWR). The value

1 specified by the manufacturer ~~or manufacturers~~ as the ~~maximum~~  
2 loaded weight of a single vehicle. ~~The GVWR of a combination of~~  
3 ~~vehicles (commonly referred to as the "Gross Combination Weight~~  
4 ~~Rating" or GCWR) is the GVWR of the power unit plus the GVWR of~~  
5 ~~the towed unit or units. In the absence of a value specified by~~  
6 ~~the manufacturer, GCWR is determined by adding the GVWR of the~~  
7 ~~power unit and the total weight of the towed unit and any load~~  
8 ~~on the unit.~~

9 (Source: P.A. 90-89, eff. 1-1-98.)

10 (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

11 Sec. 3-818. (a) Mileage weight tax option. Any owner of a  
12 vehicle of the second division may elect to pay a mileage  
13 weight tax for such vehicle in lieu of the flat weight tax set  
14 out in Section 3-815. Such election shall be binding to the end  
15 of the registration year. Renewal of this election must be  
16 filed with the Secretary of State on or before July 1 of each  
17 registration period. In such event the owner shall, at the time  
18 of making such election, pay the \$10 registration fee and the  
19 minimum guaranteed mileage weight tax, as hereinafter  
20 provided, which payment shall permit the owner to operate that  
21 vehicle the maximum mileage in this State hereinafter set  
22 forth. Any vehicle being operated on mileage plates cannot be  
23 operated outside of this State. In addition thereto, the owner  
24 of that vehicle shall pay a mileage weight tax at the following  
25 rates for each mile traveled in this State in excess of the

1 maximum mileage provided under the minimum guaranteed basis:

2 BUS, TRUCK OR TRUCK TRACTOR

3				Maximum	Mileage
4			Minimum	Mileage	Weight Tax
5			Guaranteed	Permitted	for Mileage
6	Gross Weight		Mileage	Under	in excess of
7	Vehicle and		Weight	Guaranteed	Guaranteed
8	Load	Class	Tax	Tax	Mileage
9	12,000 lbs. or less	MD	\$73	5,000	26 Mills
10	12,001 to 16,000 lbs.	MF	120	6,000	34 Mills
11	16,001 to 20,000 lbs.	MG	180	6,000	46 Mills
12	20,001 to 24,000 lbs.	MH	235	6,000	63 Mills
13	24,001 to 28,000 lbs.	MJ	315	7,000	63 Mills
14	28,001 to 32,000 lbs.	MK	385	7,000	83 Mills
15	32,001 to 36,000 lbs.	ML	485	7,000	99 Mills
16	36,001 to 40,000 lbs.	MN	615	7,000	128 Mills
17	40,001 to 45,000 lbs.	MP	695	7,000	139 Mills
18	45,001 to 54,999 lbs.	MR	853	7,000	156 Mills
19	55,000 to 59,500 lbs.	MS	920	7,000	178 Mills
20	59,501 to 64,000 lbs.	MT	985	7,000	195 Mills
21	64,001 to 73,280 lbs.	MV	1,173	7,000	225 Mills
22	73,281 to 77,000 lbs.	MX	1,328	7,000	258 Mills
23	77,001 to 80,000 lbs.	MZ	1,415	7,000	275 Mills

24 TRAILER

25				Maximum	Mileage
26			Minimum	Mileage	Weight Tax

1			Guaranteed	Permitted	for Mileage
2	Gross Weight		Mileage	Under	in excess of
3	Vehicle and		Weight	Guaranteed	Guaranteed
4	Load	Class	Tax	Tax	Mileage
5	14,000 lbs. or less	ME	\$75	5,000	31 Mills
6	14,001 to 20,000 lbs.	MF	135	6,000	36 Mills
7	20,001 to 36,000 lbs.	ML	540	7,000	103 Mills
8	36,001 to 40,000 lbs.	MM	750	7,000	150 Mills

9 (a-1) A Special Hauling Vehicle is a vehicle or combination  
 10 of vehicles of the second division registered under Section  
 11 3-813 transporting asphalt or concrete in the plastic state or  
 12 a vehicle or combination of vehicles that are subject to the  
 13 gross weight limitations in subsection (a) of Section 15-111  
 14 for which the owner of the vehicle or combination of vehicles  
 15 has elected to pay, in addition to the registration fee in  
 16 subsection (a), \$125 to the Secretary of State for each  
 17 registration year. The Secretary shall designate this class of  
 18 vehicle as a Special Hauling Vehicle.

19 In preparing rate schedules on registration applications,  
 20 the Secretary of State shall add to the above rates, the \$10  
 21 registration fee. The Secretary may decline to accept any  
 22 renewal filed after July 1st.

23 The number of axles necessary to carry the maximum load  
 24 provided shall be determined from Chapter 15 of this Code.

25 Every owner of a second division motor vehicle for which he  
 26 has elected to pay a mileage weight tax shall keep a daily

1 record upon forms prescribed by the Secretary of State, showing  
2 the mileage covered by that vehicle in this State. Such record  
3 shall contain the license number of the vehicle and the miles  
4 traveled by the vehicle in this State for each day of the  
5 calendar month. Such owner shall also maintain records of fuel  
6 consumed by each such motor vehicle and fuel purchases  
7 therefor. On or before the 10th day of July the owner shall  
8 certify to the Secretary of State upon forms prescribed  
9 therefor, summaries of his daily records which shall show the  
10 miles traveled by the vehicle in this State during the  
11 preceding 12 months and such other information as the Secretary  
12 of State may require. The daily record and fuel records shall  
13 be filed, preserved and available for audit for a period of 3  
14 years. Any owner filing a return hereunder shall certify that  
15 such return is a true, correct and complete return. Any person  
16 who willfully makes a false return hereunder is guilty of  
17 perjury and shall be punished in the same manner and to the  
18 same extent as is provided therefor.

19 At the time of filing his return, each owner shall pay to  
20 the Secretary of State the proper amount of tax at the rate  
21 herein imposed.

22 Every owner of a vehicle of the second division who elects  
23 to pay on a mileage weight tax basis and who operates the  
24 vehicle within this State, shall file with the Secretary of  
25 State a bond in the amount of \$500. The bond shall be in a form  
26 approved by the Secretary of State and with a surety company

1 approved by the Illinois Department of Insurance to transact  
2 business in this State as surety, and shall be conditioned upon  
3 such applicant's paying to the State of Illinois all money  
4 becoming due by reason of the operation of the second division  
5 vehicle in this State, together with all penalties and interest  
6 thereon.

7 Upon notice from the Secretary that the registrant has  
8 failed to pay the excess mileage fees, the surety shall  
9 immediately pay the fees together with any penalties and  
10 interest thereon in an amount not to exceed the limits of the  
11 bond.

12 (b) Beginning January 1, 2016, upon the request of the  
13 vehicle owner, a \$10 surcharge shall be collected in addition  
14 to the above fees for vehicles in the 12,000 lbs. and less  
15 mileage weight plate category as described in subsection (a) to  
16 be deposited into the Secretary of State Special License Plate  
17 Fund. The \$10 surcharge is to identify vehicles in the 12,000  
18 lbs. and less mileage weight plate category as a covered farm  
19 vehicle. The \$10 surcharge is an annual flat fee that shall be  
20 based on an applicant's new or existing registration year for  
21 each vehicle in the 12,000 lbs. and less mileage weight plate  
22 category. A designation as a covered farm vehicle under this  
23 subsection (b) shall not alter a vehicle's registration as a  
24 registration in the 12,000 lbs. or less mileage weight  
25 category. The Secretary shall adopt any rules necessary to  
26 implement this subsection (b).

1 (Source: P.A. 97-201, eff. 1-1-12.)

2 (625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

3 (Text of Section before amendment by P.A. 98-176)

4 Sec. 6-500. Definitions of words and phrases.

5 Notwithstanding the definitions set forth elsewhere in this  
6 Code, for purposes of the Uniform Commercial Driver's License  
7 Act (UCDLA), the words and phrases listed below have the  
8 meanings ascribed to them as follows:

9 (1) Alcohol. "Alcohol" means any substance containing any  
10 form of alcohol, including but not limited to ethanol,  
11 methanol, propanol, and isopropanol.

12 (2) Alcohol concentration. "Alcohol concentration" means:

13 (A) the number of grams of alcohol per 210 liters of  
14 breath; or

15 (B) the number of grams of alcohol per 100 milliliters  
16 of blood; or

17 (C) the number of grams of alcohol per 67 milliliters  
18 of urine.

19 Alcohol tests administered within 2 hours of the driver  
20 being "stopped or detained" shall be considered that driver's  
21 "alcohol concentration" for the purposes of enforcing this  
22 UCDLA.

23 (3) (Blank).

24 (4) (Blank).

25 (5) (Blank).

1 (5.3) CDLIS driver record. "CDLIS driver record" means the  
2 electronic record of the individual CDL driver's status and  
3 history stored by the State-of-Record as part of the Commercial  
4 Driver's License Information System, or CDLIS, established  
5 under 49 U.S.C. 31309.

6 (5.5) CDLIS motor vehicle record. "CDLIS motor vehicle  
7 record" or "CDLIS MVR" means a report generated from the CDLIS  
8 driver record meeting the requirements for access to CDLIS  
9 information and provided by states to users authorized in 49  
10 C.F.R. 384.225(e) (3) and (4), subject to the provisions of the  
11 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

12 (5.7) Commercial driver's license downgrade. "Commercial  
13 driver's license downgrade" or "CDL downgrade" means either:

14 (A) a state allows the driver to change his or her  
15 self-certification to interstate, but operating  
16 exclusively in transportation or operation excepted from  
17 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f),  
18 391.2, 391.68, or 398.3;

19 (B) a state allows the driver to change his or her  
20 self-certification to intrastate only, if the driver  
21 qualifies under that state's physical qualification  
22 requirements for intrastate only;

23 (C) a state allows the driver to change his or her  
24 certification to intrastate, but operating exclusively in  
25 transportation or operations excepted from all or part of  
26 the state driver qualification requirements; or



1 (D) a state removes the CDL privilege from the driver  
2 license.

3 (6) Commercial Motor Vehicle.

4 (A) "Commercial motor vehicle" or "CMV" means a motor  
5 vehicle used in commerce, except those referred to in  
6 subdivision (B), designed to transport passengers or  
7 property if:

8 (i) the vehicle has a GVWR of 26,001 pounds or more  
9 or such a lesser GVWR as subsequently determined by  
10 federal regulations or the Secretary of State; or any  
11 combination of vehicles with a GCWR of 26,001 pounds or  
12 more, provided the GVWR of any vehicle or vehicles  
13 being towed is 10,001 pounds or more; or

14 (ii) the vehicle is designed to transport 16 or  
15 more persons; or

16 (iii) the vehicle is transporting hazardous  
17 materials and is required to be placarded in accordance  
18 with 49 C.F.R. Part 172, subpart F.

19 (B) Pursuant to the interpretation of the Commercial  
20 Motor Vehicle Safety Act of 1986 by the Federal Highway  
21 Administration, the definition of "commercial motor  
22 vehicle" does not include:

23 (i) recreational vehicles, when operated primarily  
24 for personal use;

25 (ii) vehicles owned by or operated under the  
26 direction of the United States Department of Defense or

1 the United States Coast Guard only when operated by  
2 non-civilian personnel. This includes any operator on  
3 active military duty; members of the Reserves;  
4 National Guard; personnel on part-time training; and  
5 National Guard military technicians (civilians who are  
6 required to wear military uniforms and are subject to  
7 the Code of Military Justice); or

8 (iii) firefighting, police, and other emergency  
9 equipment (including, without limitation, equipment  
10 owned or operated by a HazMat or technical rescue team  
11 authorized by a county board under Section 5-1127 of  
12 the Counties Code), with audible and visual signals,  
13 owned or operated by or for a governmental entity,  
14 which is necessary to the preservation of life or  
15 property or the execution of emergency governmental  
16 functions which are normally not subject to general  
17 traffic rules and regulations.

18 (7) Controlled Substance. "Controlled substance" shall  
19 have the same meaning as defined in Section 102 of the Illinois  
20 Controlled Substances Act, and shall also include cannabis as  
21 defined in Section 3 of the Cannabis Control Act and  
22 methamphetamine as defined in Section 10 of the Methamphetamine  
23 Control and Community Protection Act.

24 (8) Conviction. "Conviction" means an unvacated  
25 adjudication of guilt or a determination that a person has  
26 violated or failed to comply with the law in a court of

1 original jurisdiction or by an authorized administrative  
2 tribunal; an unvacated forfeiture of bail or collateral  
3 deposited to secure the person's appearance in court; a plea of  
4 guilty or nolo contendere accepted by the court; the payment of  
5 a fine or court cost regardless of whether the imposition of  
6 sentence is deferred and ultimately a judgment dismissing the  
7 underlying charge is entered; or a violation of a condition of  
8 release without bail, regardless of whether or not the penalty  
9 is rebated, suspended or probated.

10 (8.5) Day. "Day" means calendar day.

11 (9) (Blank).

12 (10) (Blank).

13 (11) (Blank).

14 (12) (Blank).

15 (13) Driver. "Driver" means any person who drives,  
16 operates, or is in physical control of a commercial motor  
17 vehicle, any person who is required to hold a CDL, or any  
18 person who is a holder of a CDL while operating a  
19 non-commercial motor vehicle.

20 (13.5) Driver applicant. "Driver applicant" means an  
21 individual who applies to a state to obtain, transfer, upgrade,  
22 or renew a CDL.

23 (13.8) Electronic device. "Electronic device" includes,  
24 but is not limited to, a cellular telephone, personal digital  
25 assistant, pager, computer, or any other device used to input,  
26 write, send, receive, or read text.

1           (14) Employee. "Employee" means a person who is employed as  
2 a commercial motor vehicle driver. A person who is  
3 self-employed as a commercial motor vehicle driver must comply  
4 with the requirements of this UCCLA pertaining to employees. An  
5 owner-operator on a long-term lease shall be considered an  
6 employee.

7           (15) Employer. "Employer" means a person (including the  
8 United States, a State or a local authority) who owns or leases  
9 a commercial motor vehicle or assigns employees to operate such  
10 a vehicle. A person who is self-employed as a commercial motor  
11 vehicle driver must comply with the requirements of this UCCLA.

12           (15.3) Excepted interstate. "Excepted interstate" means a  
13 person who operates or expects to operate in interstate  
14 commerce, but engages exclusively in transportation or  
15 operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or  
16 398.3 from all or part of the qualification requirements of 49  
17 C.F.R. Part 391 and is not required to obtain a medical  
18 examiner's certificate by 49 C.F.R. 391.45.

19           (15.5) Excepted intrastate. "Excepted intrastate" means a  
20 person who operates in intrastate commerce but engages  
21 exclusively in transportation or operations excepted from all  
22 or parts of the state driver qualification requirements.

23           (16) (Blank).

24           (16.5) Fatality. "Fatality" means the death of a person as  
25 a result of a motor vehicle accident.

26           (16.7) Foreign commercial driver. "Foreign commercial

1 driver" means a person licensed to operate a commercial motor  
2 vehicle by an authority outside the United States, or a citizen  
3 of a foreign country who operates a commercial motor vehicle in  
4 the United States.

5 (17) Foreign jurisdiction. "Foreign jurisdiction" means a  
6 sovereign jurisdiction that does not fall within the definition  
7 of "State".

8 (18) (Blank).

9 (19) (Blank).

10 (20) Hazardous materials. "Hazardous Material" means any  
11 material that has been designated under 49 U.S.C. 5103 and is  
12 required to be placarded under subpart F of 49 C.F.R. part 172  
13 or any quantity of a material listed as a select agent or toxin  
14 in 42 C.F.R. part 73.

15 (20.5) Imminent Hazard. "Imminent hazard" means the  
16 existence of any condition of a vehicle, employee, or  
17 commercial motor vehicle operations that substantially  
18 increases the likelihood of serious injury or death if not  
19 discontinued immediately; or a condition relating to hazardous  
20 material that presents a substantial likelihood that death,  
21 serious illness, severe personal injury, or a substantial  
22 endangerment to health, property, or the environment may occur  
23 before the reasonably foreseeable completion date of a formal  
24 proceeding begun to lessen the risk of that death, illness,  
25 injury or endangerment.

26 (21) Long-term lease. "Long-term lease" means a lease of a

1 commercial motor vehicle by the owner-lessor to a lessee, for a  
2 period of more than 29 days.

3 (21.1) Medical examiner. "Medical examiner" means an  
4 individual certified by the Federal Motor Carrier Safety  
5 Administration and listed on the National Registry of Certified  
6 Medical Examiners in accordance with Federal Motor Carrier  
7 Safety Regulations, 49 CFR 390.101 et seq.

8 (21.2) Medical examiner's certificate. "Medical examiner's  
9 certificate" means a document prescribed or approved by the  
10 Secretary of State that is issued by a medical examiner to a  
11 driver to medically qualify him or her to drive.

12 (21.5) Medical variance. "Medical variance" means a driver  
13 has received one of the following from the Federal Motor  
14 Carrier Safety Administration which allows the driver to be  
15 issued a medical certificate: (1) an exemption letter  
16 permitting operation of a commercial motor vehicle pursuant to  
17 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a  
18 skill performance evaluation (SPE) certificate permitting  
19 operation of a commercial motor vehicle pursuant to 49 C.F.R.  
20 391.49.

21 (21.7) Mobile telephone. "Mobile telephone" means a mobile  
22 communication device that falls under or uses any commercial  
23 mobile radio service, as defined in regulations of the Federal  
24 Communications Commission, 47 CFR 20.3. It does not include  
25 two-way or citizens band radio services.

26 (22) Motor Vehicle. "Motor vehicle" means every vehicle

1 which is self-propelled, and every vehicle which is propelled  
2 by electric power obtained from over head trolley wires but not  
3 operated upon rails, except vehicles moved solely by human  
4 power and motorized wheel chairs.

5 (22.2) Motor vehicle record. "Motor vehicle record" means a  
6 report of the driving status and history of a driver generated  
7 from the driver record provided to users, such as drivers or  
8 employers, and is subject to the provisions of the Driver  
9 Privacy Protection Act, 18 U.S.C. 2721-2725.

10 (22.5) Non-CMV. "Non-CMV" means a motor vehicle or  
11 combination of motor vehicles not defined by the term  
12 "commercial motor vehicle" or "CMV" in this Section.

13 (22.7) Non-excepted interstate. "Non-excepted interstate"  
14 means a person who operates or expects to operate in interstate  
15 commerce, is subject to and meets the qualification  
16 requirements under 49 C.F.R. Part 391, and is required to  
17 obtain a medical examiner's certificate by 49 C.F.R. 391.45.

18 (22.8) Non-excepted intrastate. "Non-excepted intrastate"  
19 means a person who operates only in intrastate commerce and is  
20 subject to State driver qualification requirements.

21 (23) Non-resident CDL. "Non-resident CDL" means a  
22 commercial driver's license issued by a state under either of  
23 the following two conditions:

24 (i) to an individual domiciled in a foreign country  
25 meeting the requirements of Part 383.23(b)(1) of 49 C.F.R.  
26 of the Federal Motor Carrier Safety Administration.

1 (ii) to an individual domiciled in another state  
2 meeting the requirements of Part 383.23(b)(2) of 49 C.F.R.  
3 of the Federal Motor Carrier Safety Administration.

4 (24) (Blank).

5 (25) (Blank).

6 (25.5) Railroad-Highway Grade Crossing Violation.  
7 "Railroad-highway grade crossing violation" means a violation,  
8 while operating a commercial motor vehicle, of any of the  
9 following:

10 (A) Section 11-1201, 11-1202, or 11-1425 of this Code.

11 (B) Any other similar law or local ordinance of any  
12 state relating to railroad-highway grade crossing.

13 (25.7) School Bus. "School bus" means a commercial motor  
14 vehicle used to transport pre-primary, primary, or secondary  
15 school students from home to school, from school to home, or to  
16 and from school-sponsored events. "School bus" does not include  
17 a bus used as a common carrier.

18 (26) Serious Traffic Violation. "Serious traffic  
19 violation" means:

20 (A) a conviction when operating a commercial motor  
21 vehicle, or when operating a non-CMV while holding a CDL,  
22 of:

23 (i) a violation relating to excessive speeding,  
24 involving a single speeding charge of 15 miles per hour  
25 or more above the legal speed limit; or

26 (ii) a violation relating to reckless driving; or



1 (iii) a violation of any State law or local  
2 ordinance relating to motor vehicle traffic control  
3 (other than parking violations) arising in connection  
4 with a fatal traffic accident; or

5 (iv) a violation of Section 6-501, relating to  
6 having multiple driver's licenses; or

7 (v) a violation of paragraph (a) of Section 6-507,  
8 relating to the requirement to have a valid CDL; or

9 (vi) a violation relating to improper or erratic  
10 traffic lane changes; or

11 (vii) a violation relating to following another  
12 vehicle too closely; or

13 (viii) a violation relating to texting while  
14 driving; or

15 (ix) a violation relating to the use of a hand-held  
16 mobile telephone while driving; or

17 (B) any other similar violation of a law or local  
18 ordinance of any state relating to motor vehicle traffic  
19 control, other than a parking violation, which the  
20 Secretary of State determines by administrative rule to be  
21 serious.

22 (27) State. "State" means a state of the United States, the  
23 District of Columbia and any province or territory of Canada.

24 (28) (Blank).

25 (29) (Blank).

26 (30) (Blank).

1 (31) (Blank).

2 (32) Texting. "Texting" means manually entering  
3 alphanumeric text into, or reading text from, an electronic  
4 device.

5 (1) Texting includes, but is not limited to, short  
6 message service, emailing, instant messaging, a command or  
7 request to access a World Wide Web page, pressing more than  
8 a single button to initiate or terminate a voice  
9 communication using a mobile telephone, or engaging in any  
10 other form of electronic text retrieval or entry for  
11 present or future communication.

12 (2) Texting does not include:

13 (i) inputting, selecting, or reading information  
14 on a global positioning system or navigation system; or

15 (ii) pressing a single button to initiate or  
16 terminate a voice communication using a mobile  
17 telephone; or

18 (iii) using a device capable of performing  
19 multiple functions (for example, a fleet management  
20 system, dispatching device, smart phone, citizens band  
21 radio, or music player) for a purpose that is not  
22 otherwise prohibited by Part 392 of the Federal Motor  
23 Carrier Safety Regulations.

24 (33) Use a hand-held mobile telephone. "Use a hand-held  
25 mobile telephone" means:

26 (1) using at least one hand to hold a mobile telephone

1 to conduct a voice communication;

2 (2) dialing or answering a mobile telephone by pressing  
3 more than a single button; or

4 (3) reaching for a mobile telephone in a manner that  
5 requires a driver to maneuver so that he or she is no  
6 longer in a seated driving position, restrained by a seat  
7 belt that is installed in accordance with 49 CFR 393.93 and  
8 adjusted in accordance with the vehicle manufacturer's  
9 instructions.

10 (Source: P.A. 97-208, eff. 1-1-12; 97-750, eff. 7-6-12; 97-829,  
11 eff. 1-1-13; 98-463, eff. 8-16-13; 98-722, eff. 7-16-14.)

12 (Text of Section after amendment by P.A. 98-176)

13 Sec. 6-500. Definitions of words and phrases.  
14 Notwithstanding the definitions set forth elsewhere in this  
15 Code, for purposes of the Uniform Commercial Driver's License  
16 Act (UCDLA), the words and phrases listed below have the  
17 meanings ascribed to them as follows:

18 (1) Alcohol. "Alcohol" means any substance containing any  
19 form of alcohol, including but not limited to ethanol,  
20 methanol, propanol, and isopropanol.

21 (2) Alcohol concentration. "Alcohol concentration" means:

22 (A) the number of grams of alcohol per 210 liters of  
23 breath; or

24 (B) the number of grams of alcohol per 100 milliliters  
25 of blood; or

1 (C) the number of grams of alcohol per 67 milliliters  
2 of urine.

3 Alcohol tests administered within 2 hours of the driver  
4 being "stopped or detained" shall be considered that driver's  
5 "alcohol concentration" for the purposes of enforcing this  
6 UCDLA.

7 (3) (Blank).

8 (4) (Blank).

9 (5) (Blank).

10 (5.3) CDLIS driver record. "CDLIS driver record" means the  
11 electronic record of the individual CDL driver's status and  
12 history stored by the State-of-Record as part of the Commercial  
13 Driver's License Information System, or CDLIS, established  
14 under 49 U.S.C. 31309.

15 (5.5) CDLIS motor vehicle record. "CDLIS motor vehicle  
16 record" or "CDLIS MVR" means a report generated from the CDLIS  
17 driver record meeting the requirements for access to CDLIS  
18 information and provided by states to users authorized in 49  
19 C.F.R. 384.225(e) (3) and (4), subject to the provisions of the  
20 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

21 (5.7) Commercial driver's license downgrade. "Commercial  
22 driver's license downgrade" or "CDL downgrade" means either:

23 (A) a state allows the driver to change his or her  
24 self-certification to interstate, but operating  
25 exclusively in transportation or operation excepted from  
26 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f),

1 391.2, 391.68, or 398.3;

2 (B) a state allows the driver to change his or her  
3 self-certification to intrastate only, if the driver  
4 qualifies under that state's physical qualification  
5 requirements for intrastate only;

6 (C) a state allows the driver to change his or her  
7 certification to intrastate, but operating exclusively in  
8 transportation or operations excepted from all or part of  
9 the state driver qualification requirements; or

10 (D) a state removes the CDL privilege from the driver  
11 license.

12 (6) Commercial Motor Vehicle.

13 (A) "Commercial motor vehicle" or "CMV" means a motor  
14 vehicle or combination of motor vehicles used in commerce,  
15 except those referred to in subdivision (B), designed to  
16 transport passengers or property if the motor vehicle:

17 (i) has a gross combination weight rating or gross  
18 combination weight of 11,794 kilograms or more (26,001  
19 pounds or more), whichever is greater, inclusive of any  
20 towed unit with a gross vehicle weight rating or gross  
21 vehicle weight of more than 4,536 kilograms (10,000  
22 pounds), whichever is greater; or

23 (i-5) has a gross vehicle weight rating or gross  
24 vehicle weight of 11,794 or more kilograms (26,001  
25 pounds or more), whichever is greater; or

26 (ii) is designed to transport 16 or more persons,

1 including the driver; or

2 (iii) is of any size and is used in transporting  
3 hazardous materials as defined in 49 C.F.R. 383.5.

4 (B) Pursuant to the interpretation of the Commercial  
5 Motor Vehicle Safety Act of 1986 by the Federal Highway  
6 Administration, the definition of "commercial motor  
7 vehicle" does not include:

8 (i) recreational vehicles, when operated primarily  
9 for personal use;

10 (ii) vehicles owned by or operated under the  
11 direction of the United States Department of Defense or  
12 the United States Coast Guard only when operated by  
13 non-civilian personnel. This includes any operator on  
14 active military duty; members of the Reserves;  
15 National Guard; personnel on part-time training; and  
16 National Guard military technicians (civilians who are  
17 required to wear military uniforms and are subject to  
18 the Code of Military Justice); or

19 (iii) firefighting, police, and other emergency  
20 equipment (including, without limitation, equipment  
21 owned or operated by a HazMat or technical rescue team  
22 authorized by a county board under Section 5-1127 of  
23 the Counties Code), with audible and visual signals,  
24 owned or operated by or for a governmental entity,  
25 which is necessary to the preservation of life or  
26 property or the execution of emergency governmental

1 functions which are normally not subject to general  
2 traffic rules and regulations.

3 (7) Controlled Substance. "Controlled substance" shall  
4 have the same meaning as defined in Section 102 of the Illinois  
5 Controlled Substances Act, and shall also include cannabis as  
6 defined in Section 3 of the Cannabis Control Act and  
7 methamphetamine as defined in Section 10 of the Methamphetamine  
8 Control and Community Protection Act.

9 (8) Conviction. "Conviction" means an unvacated  
10 adjudication of guilt or a determination that a person has  
11 violated or failed to comply with the law in a court of  
12 original jurisdiction or by an authorized administrative  
13 tribunal; an unvacated forfeiture of bail or collateral  
14 deposited to secure the person's appearance in court; a plea of  
15 guilty or nolo contendere accepted by the court; the payment of  
16 a fine or court cost regardless of whether the imposition of  
17 sentence is deferred and ultimately a judgment dismissing the  
18 underlying charge is entered; or a violation of a condition of  
19 release without bail, regardless of whether or not the penalty  
20 is rebated, suspended or probated.

21 (8.5) Day. "Day" means calendar day.

22 (9) (Blank).

23 (10) (Blank).

24 (11) (Blank).

25 (12) (Blank).

26 (13) Driver. "Driver" means any person who drives,

1 operates, or is in physical control of a commercial motor  
2 vehicle, any person who is required to hold a CDL, or any  
3 person who is a holder of a CDL while operating a  
4 non-commercial motor vehicle.

5 (13.5) Driver applicant. "Driver applicant" means an  
6 individual who applies to a state or other jurisdiction to  
7 obtain, transfer, upgrade, or renew a CDL or to obtain or renew  
8 a CLP.

9 (13.8) Electronic device. "Electronic device" includes,  
10 but is not limited to, a cellular telephone, personal digital  
11 assistant, pager, computer, or any other device used to input,  
12 write, send, receive, or read text.

13 (14) Employee. "Employee" means a person who is employed as  
14 a commercial motor vehicle driver. A person who is  
15 self-employed as a commercial motor vehicle driver must comply  
16 with the requirements of this UCDLA pertaining to employees. An  
17 owner-operator on a long-term lease shall be considered an  
18 employee.

19 (15) Employer. "Employer" means a person (including the  
20 United States, a State or a local authority) who owns or leases  
21 a commercial motor vehicle or assigns employees to operate such  
22 a vehicle. A person who is self-employed as a commercial motor  
23 vehicle driver must comply with the requirements of this UCDLA.

24 (15.1) Endorsement. "Endorsement" means an authorization  
25 to an individual's CLP or CDL required to permit the individual  
26 to operate certain types of commercial motor vehicles.



1           (15.3) Excepted interstate. "Excepted interstate" means a  
2 person who operates or expects to operate in interstate  
3 commerce, but engages exclusively in transportation or  
4 operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or  
5 398.3 from all or part of the qualification requirements of 49  
6 C.F.R. Part 391 and is not required to obtain a medical  
7 examiner's certificate by 49 C.F.R. 391.45.

8           (15.5) Excepted intrastate. "Excepted intrastate" means a  
9 person who operates in intrastate commerce but engages  
10 exclusively in transportation or operations excepted from all  
11 or parts of the state driver qualification requirements.

12           (16) (Blank).

13           (16.5) Fatality. "Fatality" means the death of a person as  
14 a result of a motor vehicle accident.

15           (16.7) Foreign commercial driver. "Foreign commercial  
16 driver" means a person licensed to operate a commercial motor  
17 vehicle by an authority outside the United States, or a citizen  
18 of a foreign country who operates a commercial motor vehicle in  
19 the United States.

20           (17) Foreign jurisdiction. "Foreign jurisdiction" means a  
21 sovereign jurisdiction that does not fall within the definition  
22 of "State".

23           (18) (Blank).

24           (19) (Blank).

25           (20) Hazardous materials. "Hazardous Material" means any  
26 material that has been designated under 49 U.S.C. 5103 and is

1 required to be placarded under subpart F of 49 C.F.R. part 172  
2 or any quantity of a material listed as a select agent or toxin  
3 in 42 C.F.R. part 73.

4 (20.5) Imminent Hazard. "Imminent hazard" means the  
5 existence of any condition of a vehicle, employee, or  
6 commercial motor vehicle operations that substantially  
7 increases the likelihood of serious injury or death if not  
8 discontinued immediately; or a condition relating to hazardous  
9 material that presents a substantial likelihood that death,  
10 serious illness, severe personal injury, or a substantial  
11 endangerment to health, property, or the environment may occur  
12 before the reasonably foreseeable completion date of a formal  
13 proceeding begun to lessen the risk of that death, illness,  
14 injury or endangerment.

15 (20.6) Issuance. "Issuance" means initial issuance,  
16 transfer, renewal, or upgrade of a CLP or CDL and non-domiciled  
17 CLP or CDL.

18 (20.7) Issue. "Issue" means initial issuance, transfer,  
19 renewal, or upgrade of a CLP or CDL and non-domiciled CLP or  
20 non-domiciled CDL.

21 (21) Long-term lease. "Long-term lease" means a lease of a  
22 commercial motor vehicle by the owner-lessor to a lessee, for a  
23 period of more than 29 days.

24 (21.01) Manual transmission. "Manual transmission" means a  
25 transmission utilizing a driver-operated clutch that is  
26 activated by a pedal or lever and a gear-shift mechanism

1 operated either by hand or foot including those known as a  
2 stick shift, stick, straight drive, or standard transmission.  
3 All other transmissions, whether semi-automatic or automatic,  
4 shall be considered automatic for the purposes of the  
5 standardized restriction code.

6 (21.1) Medical examiner. "Medical examiner" means an  
7 individual certified by the Federal Motor Carrier Safety  
8 Administration and listed on the National Registry of Certified  
9 Medical Examiners in accordance with Federal Motor Carrier  
10 Safety Regulations, 49 CFR 390.101 et seq.

11 (21.2) Medical examiner's certificate. "Medical examiner's  
12 certificate" means a document prescribed or approved by the  
13 Secretary of State that is issued by a medical examiner to a  
14 driver to medically qualify him or her to drive.

15 (21.5) Medical variance. "Medical variance" means a driver  
16 has received one of the following from the Federal Motor  
17 Carrier Safety Administration which allows the driver to be  
18 issued a medical certificate: (1) an exemption letter  
19 permitting operation of a commercial motor vehicle pursuant to  
20 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a  
21 skill performance evaluation (SPE) certificate permitting  
22 operation of a commercial motor vehicle pursuant to 49 C.F.R.  
23 391.49.

24 (21.7) Mobile telephone. "Mobile telephone" means a mobile  
25 communication device that falls under or uses any commercial  
26 mobile radio service, as defined in regulations of the Federal

1 Communications Commission, 47 CFR 20.3. It does not include  
2 two-way or citizens band radio services.

3 (22) Motor Vehicle. "Motor vehicle" means every vehicle  
4 which is self-propelled, and every vehicle which is propelled  
5 by electric power obtained from over head trolley wires but not  
6 operated upon rails, except vehicles moved solely by human  
7 power and motorized wheel chairs.

8 (22.2) Motor vehicle record. "Motor vehicle record" means a  
9 report of the driving status and history of a driver generated  
10 from the driver record provided to users, such as drivers or  
11 employers, and is subject to the provisions of the Driver  
12 Privacy Protection Act, 18 U.S.C. 2721-2725.

13 (22.5) Non-CMV. "Non-CMV" means a motor vehicle or  
14 combination of motor vehicles not defined by the term  
15 "commercial motor vehicle" or "CMV" in this Section.

16 (22.7) Non-excepted interstate. "Non-excepted interstate"  
17 means a person who operates or expects to operate in interstate  
18 commerce, is subject to and meets the qualification  
19 requirements under 49 C.F.R. Part 391, and is required to  
20 obtain a medical examiner's certificate by 49 C.F.R. 391.45.

21 (22.8) Non-excepted intrastate. "Non-excepted intrastate"  
22 means a person who operates only in intrastate commerce and is  
23 subject to State driver qualification requirements.

24 (23) Non-domiciled CLP or Non-domiciled CDL.  
25 "Non-domiciled CLP" or "Non-domiciled CDL" means a CLP or CDL,  
26 respectively, issued by a state or other jurisdiction under

1 either of the following two conditions:

2 (i) to an individual domiciled in a foreign country  
3 meeting the requirements of Part 383.23(b)(1) of 49 C.F.R.  
4 of the Federal Motor Carrier Safety Administration.

5 (ii) to an individual domiciled in another state  
6 meeting the requirements of Part 383.23(b)(2) of 49 C.F.R.  
7 of the Federal Motor Carrier Safety Administration.

8 (24) (Blank).

9 (25) (Blank).

10 (25.5) Railroad-Highway Grade Crossing Violation.

11 "Railroad-highway grade crossing violation" means a violation,  
12 while operating a commercial motor vehicle, of any of the  
13 following:

14 (A) Section 11-1201, 11-1202, or 11-1425 of this Code.

15 (B) Any other similar law or local ordinance of any  
16 state relating to railroad-highway grade crossing.

17 (25.7) School Bus. "School bus" means a commercial motor  
18 vehicle used to transport pre-primary, primary, or secondary  
19 school students from home to school, from school to home, or to  
20 and from school-sponsored events. "School bus" does not include  
21 a bus used as a common carrier.

22 (26) Serious Traffic Violation. "Serious traffic  
23 violation" means:

24 (A) a conviction when operating a commercial motor  
25 vehicle, or when operating a non-CMV while holding a CLP or  
26 CDL, of:

1 (i) a violation relating to excessive speeding,  
2 involving a single speeding charge of 15 miles per hour  
3 or more above the legal speed limit; or

4 (ii) a violation relating to reckless driving; or

5 (iii) a violation of any State law or local  
6 ordinance relating to motor vehicle traffic control  
7 (other than parking violations) arising in connection  
8 with a fatal traffic accident; or

9 (iv) a violation of Section 6-501, relating to  
10 having multiple driver's licenses; or

11 (v) a violation of paragraph (a) of Section 6-507,  
12 relating to the requirement to have a valid CLP or CDL;  
13 or

14 (vi) a violation relating to improper or erratic  
15 traffic lane changes; or

16 (vii) a violation relating to following another  
17 vehicle too closely; or

18 (viii) a violation relating to texting while  
19 driving; or

20 (ix) a violation relating to the use of a hand-held  
21 mobile telephone while driving; or

22 (B) any other similar violation of a law or local  
23 ordinance of any state relating to motor vehicle traffic  
24 control, other than a parking violation, which the  
25 Secretary of State determines by administrative rule to be  
26 serious.

1           (27) State. "State" means a state of the United States, the  
2 District of Columbia and any province or territory of Canada.

3           (28) (Blank).

4           (29) (Blank).

5           (30) (Blank).

6           (31) (Blank).

7           (32) Texting. "Texting" means manually entering  
8 alphanumeric text into, or reading text from, an electronic  
9 device.

10           (1) Texting includes, but is not limited to, short  
11 message service, emailing, instant messaging, a command or  
12 request to access a World Wide Web page, pressing more than  
13 a single button to initiate or terminate a voice  
14 communication using a mobile telephone, or engaging in any  
15 other form of electronic text retrieval or entry for  
16 present or future communication.

17           (2) Texting does not include:

18           (i) inputting, selecting, or reading information  
19 on a global positioning system or navigation system; or

20           (ii) pressing a single button to initiate or  
21 terminate a voice communication using a mobile  
22 telephone; or

23           (iii) using a device capable of performing  
24 multiple functions (for example, a fleet management  
25 system, dispatching device, smart phone, citizens band  
26 radio, or music player) for a purpose that is not

1 otherwise prohibited by Part 392 of the Federal Motor  
2 Carrier Safety Regulations.

3 (32.3) Third party skills test examiner. "Third party  
4 skills test examiner" means a person employed by a third party  
5 tester who is authorized by the State to administer the CDL  
6 skills tests specified in 49 C.F.R. Part 383, subparts G and H.

7 (32.5) Third party tester. "Third party tester" means a  
8 person (including, but not limited to, another state, a motor  
9 carrier, a private driver training facility or other private  
10 institution, or a department, agency, or instrumentality of a  
11 local government) authorized by the State to employ skills test  
12 examiners to administer the CDL skills tests specified in 49  
13 C.F.R. Part 383, subparts G and H.

14 (32.7) United States. "United States" means the 50 states  
15 and the District of Columbia.

16 (33) Use a hand-held mobile telephone. "Use a hand-held  
17 mobile telephone" means:

18 (1) using at least one hand to hold a mobile telephone  
19 to conduct a voice communication;

20 (2) dialing or answering a mobile telephone by pressing  
21 more than a single button; or

22 (3) reaching for a mobile telephone in a manner that  
23 requires a driver to maneuver so that he or she is no  
24 longer in a seated driving position, restrained by a seat  
25 belt that is installed in accordance with 49 CFR 393.93 and  
26 adjusted in accordance with the vehicle manufacturer's



1 instructions.

2 (Source: P.A. 97-208, eff. 1-1-12; 97-750, eff. 7-6-12; 97-829,  
3 eff. 1-1-13; 98-176, eff. 7-8-15 (see Section 10 of P.A. 98-722  
4 for the effective date of changes made by P.A. 98-176); 98-463,  
5 eff. 8-16-13; 98-722, eff. 7-16-14.)

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

7 (Text of Section before amendment by P.A. 98-176)

8 Sec. 6-507. Commercial Driver's License (CDL) Required.

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

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

15 (2) having obtained a CDL;

16 (3) the proper class of CDL or endorsements or both for  
17 the specific vehicle group being operated or for the  
18 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 (b) Except as otherwise provided by this Code, no person  
23 may drive a commercial motor vehicle on the highways while such  
24 person's driving privilege, license, or permit is:

25 (1) Suspended, revoked, cancelled, or subject to

1           disqualification. Any person convicted of violating this  
2           provision or a similar provision of this or any other state  
3           shall have their driving privileges revoked under  
4           paragraph 12 of subsection (a) of Section 6-205 of this  
5           Code.

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

12          (3) Subject to or in violation of a driver or vehicle  
13          "out of service" order while operating a vehicle designed  
14          to transport 16 or more passengers, including the driver,  
15          or transporting hazardous materials required to be  
16          placarded. Any person who has been issued a CDL and is  
17          convicted of violating this provision or a similar  
18          provision of this or any other state shall be disqualified  
19          from operating a commercial motor vehicle under subsection  
20          (i) of Section 6-514 of this Code.

21          (b-3) Except as otherwise provided by this Code, no person  
22          may drive a commercial motor vehicle on the highways during a  
23          period which the commercial motor vehicle or the motor carrier  
24          operation is subject to an "out-of-service" order. Any person  
25          who is convicted of violating this provision or a similar  
26          provision of any other state shall be disqualified from

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

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

13 (c) Pursuant to the options provided to the States by FHWA  
14 Docket No. MC-88-8, the driver of any motor vehicle controlled  
15 or operated by or for a farmer is waived from the requirements  
16 of this Section, when such motor vehicle is being used to  
17 transport: agricultural products; implements of husbandry; or  
18 farm supplies; to and from a farm, as long as such movement is  
19 not over 150 air miles from the originating farm. This waiver  
20 does not apply to the driver of any motor vehicle being used in  
21 a common or contract carrier type operation. However, for those  
22 drivers of any truck-tractor semitrailer combination or  
23 combinations registered under subsection (c) of Section 3-815  
24 of this Code, this waiver shall apply only when the driver is a  
25 farmer or a member of the farmer's family and the driver is 21  
26 years of age or more and has successfully completed any tests

1 the Secretary of State deems necessary.

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

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

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

26 (c-10) A driver of a commercial motor vehicle used

1 primarily in the transportation of propane winter heating fuel  
2 or a driver of a motor vehicle used to respond to a pipeline  
3 emergency is waived from the requirements of this Section if  
4 such requirements would prevent the driver from responding to  
5 an emergency condition requiring immediate response as defined  
6 in 49 C.F.R. Part 390.5.

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

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

12 (f) This Section shall not apply to:

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

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

22 (Source: P.A. 96-544, eff. 1-1-10; 97-208, eff. 1-1-12; 97-229,  
23 eff. 7-28-11; 97-813, eff. 7-13-12.)

24 (Text of Section after amendment by P.A. 98-176)

25 Sec. 6-507. Commercial Driver's License (CDL) or

1 Commercial Learner's Permit (CLP) Required.

2 (a) Except as expressly permitted by this UCCLA, or when  
3 driving pursuant to the issuance of a commercial learner's  
4 permit and accompanied by the holder of a CDL valid for the  
5 vehicle being driven; no person shall drive a commercial motor  
6 vehicle on the highways without:

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

8 (2) having obtained a CLP or CDL;

9 (3) the proper class of CLP or CDL or endorsements or  
10 both for the specific vehicle group being operated or for  
11 the passengers or type of cargo being transported; or

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

15 (a-5) A CLP or CDL holder whose CLP or CDL is held by this  
16 State or any other state in the course of enforcement of a  
17 motor vehicle traffic code and who has not been convicted of a  
18 disqualifying offense under 49 C.F.R. 383.51 based on this  
19 enforcement, may drive a CMV while holding a dated receipt for  
20 the CLP or CDL.

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

24 (1) Suspended, revoked, cancelled, or subject to  
25 disqualification. Any person convicted of violating this  
26 provision or a similar provision of this or any other state

1 shall have their driving privileges revoked under  
2 paragraph 12 of subsection (a) of Section 6-205 of this  
3 Code.

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

10 (3) Subject to or in violation of a driver or vehicle  
11 "out of service" order while operating a vehicle designed  
12 to transport 16 or more passengers, including the driver,  
13 or transporting hazardous materials required to be  
14 placarded. Any person who has been issued a CLP or CDL and  
15 is convicted of violating this provision or a similar  
16 provision of this or any other state shall be disqualified  
17 from operating a commercial motor vehicle under subsection  
18 (i) of Section 6-514 of this Code.

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

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

11 (c) Pursuant to the options provided to the States by FHWA  
12 Docket No. MC-88-8, the driver of any motor vehicle controlled  
13 or operated by or for a farmer is waived from the requirements  
14 of this Section, when such motor vehicle is being used to  
15 transport: agricultural products; implements of husbandry; or  
16 farm supplies; to and from a farm, as long as such movement is  
17 not over 150 air miles from the originating farm. This waiver  
18 does not apply to the driver of any motor vehicle being used in  
19 a common or contract carrier type operation. However, for those  
20 drivers of any truck-tractor semitrailer combination or  
21 combinations registered under subsection (c) of Section 3-815  
22 of this Code, this waiver shall apply only when the driver is a  
23 farmer or a member of the farmer's family and the driver is 21  
24 years of age or more and has successfully completed any tests  
25 the Secretary of State deems necessary.

26 In addition, the farmer or a member of the farmer's family



1 who operates a truck-tractor semitrailer combination or  
2 combinations pursuant to this waiver shall be granted all of  
3 the rights and shall be subject to all of the duties and  
4 restrictions with respect to Sections 6-514 and 6-515 of this  
5 Code applicable to the driver who possesses a commercial  
6 driver's license issued under this Code, except that the driver  
7 shall not be subject to any additional duties or restrictions  
8 contained in Part 382 of the Federal Motor Carrier Safety  
9 Regulations that are not otherwise imposed under Section 6-514  
10 or 6-515 of this Code.

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

14 As required under the Code of Federal Regulations 49 CFR  
15 390.39, an operator of a covered farm vehicle, as defined under  
16 Section 18b-101 of this Code, is exempt from the requirements  
17 of this Section.

18 (c-5) An employee of a township or road district with a  
19 population of less than 3,000 operating a vehicle within the  
20 boundaries of the township or road district for the purpose of  
21 removing snow or ice from a roadway by plowing, sanding, or  
22 salting is waived from the requirements of this Section when  
23 the employee is needed to operate the vehicle because the  
24 employee of the township or road district who ordinarily  
25 operates the vehicle and who has a commercial driver's license  
26 is unable to operate the vehicle or is in need of additional

1 assistance due to a snow emergency.

2 (c-10) A driver of a commercial motor vehicle used  
3 primarily in the transportation of propane winter heating fuel  
4 or a driver of a motor vehicle used to respond to a pipeline  
5 emergency is waived from the requirements of this Section if  
6 such requirements would prevent the driver from responding to  
7 an emergency condition requiring immediate response as defined  
8 in 49 C.F.R. Part 390.5.

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. 97-208, eff. 1-1-12; 97-229, eff. 7-28-11;  
25 97-813, eff. 7-13-12; 98-176, eff. 7-8-15 (see Section 10 of  
26 P.A. 98-722 for the effective date of changes made by P.A.

1 98-176).)

2 (625 ILCS 5/6-508.1)

3 (Text of Section before amendment by P.A. 98-176)

4 Sec. 6-508.1. Medical Examiner's Certificate.

5 (a) It shall be unlawful for any person to drive a CMV in  
6 non-excepted interstate commerce unless the person holds a CDL  
7 and is medically certified as physically qualified to do so.

8 (b) No person who has certified to non-excepted interstate  
9 driving as provided in Section 6-508 of this Code shall be  
10 issued a commercial driver instruction permit or CDL unless  
11 that person presents to the Secretary a medical examiner's  
12 certificate or has a current medical examiner's certificate on  
13 the CDLIS driver record.

14 (c) Persons who hold a commercial driver instruction permit  
15 or CDL on January 30, 2012 who have certified as non-excepted  
16 interstate as provided in Section 6-508 of this Code must  
17 provide to the Secretary a medical examiner's certificate no  
18 later than January 30, 2014.

19 (d) As of January 30, 2014, all persons who hold a  
20 commercial driver instruction permit or CDL who have certified  
21 as non-excepted interstate shall maintain a current medical  
22 examiner's certificate on file with the Secretary.

23 (e) Within 10 calendar days of receipt of a medical  
24 examiner's certificate of a driver who has certified as  
25 non-excepted interstate, the Secretary shall post the

1 following to the CDLIS driver record:

2 (1) the medical examiner's name;

3 (2) the medical examiner's telephone number;

4 (3) the date of issuance of the medical examiner's  
5 certificate;

6 (4) the medical examiner's license number and the state  
7 that issued it;

8 (5) the medical certification status;

9 (6) the expiration date of the medical examiner's  
10 certificate;

11 (7) the existence of any medical variance on the  
12 medical examiner's certificate or grandfather provisions;

13 (8) any restrictions noted on the medical examiner's  
14 certificate; and

15 (9) the date the medical examiner's certificate  
16 information was posted to the CDLIS driver record.

17 (f) Within 10 calendar days of the expiration or rescission  
18 of the driver's medical examiner's certificate or medical  
19 variance or both, the Secretary shall update the medical  
20 certification status to "not certified".

21 (g) Within 10 calendar days of receipt of information from  
22 the Federal Motor Carrier Safety Administration regarding  
23 issuance or renewal of a medical variance, the Secretary shall  
24 update the CDLIS driver record to include the medical variance  
25 information provided by the Federal Motor Carrier Safety  
26 Administration.

1           (h) The Secretary shall notify the driver of his or her  
2 non-certified status and that his or her CDL will be canceled  
3 unless the driver submits a current medical examiner's  
4 certificate or medical variance or changes his or her  
5 self-certification to driving only in excepted or intrastate  
6 commerce.

7           (i) Within 60 calendar days of a driver's medical  
8 certification status becoming non-certified, the Secretary  
9 shall cancel the CDL.

10       (Source: P.A. 97-208, eff. 1-1-12.)

11           (Text of Section after amendment by P.A. 98-176)

12           Sec. 6-508.1. Medical Examiner's Certificate.

13           (a) It shall be unlawful for any person to drive a CMV in  
14 non-excepted interstate commerce unless the person holds a CLP  
15 or CDL and is medically certified as physically qualified to do  
16 so.

17           (b) No person who has certified to non-excepted interstate  
18 driving as provided in Sections 6-507.5 and 6-508 of this Code  
19 shall be issued a commercial learner's permit or CDL unless  
20 that person presents to the Secretary a medical examiner's  
21 certificate or has a current medical examiner's certificate on  
22 the CDLIS driver record.

23           (c) Persons who hold a commercial driver instruction permit  
24 or CDL on January 30, 2012 who have certified as non-excepted  
25 interstate as provided in Section 6-508 of this Code must

1 provide to the Secretary a medical examiner's certificate no  
2 later than January 30, 2014.

3 (d) On and after January 30, 2014, all persons who hold a  
4 commercial driver instruction permit or CDL who have certified  
5 as non-excepted interstate shall maintain a current medical  
6 examiner's certificate on file with the Secretary. On and after  
7 July 1, 2014, all persons issued a CLP who have certified as  
8 non-excepted interstate shall maintain a current medical  
9 examiner's certificate on file with the Secretary.

10 (e) Within 10 calendar days of receipt of a medical  
11 examiner's certificate of a driver who has certified as  
12 non-excepted interstate, the Secretary shall post the  
13 following to the CDLIS driver record:

- 14 (1) the medical examiner's name;
- 15 (2) the medical examiner's telephone number;
- 16 (3) the date of issuance of the medical examiner's  
17 certificate;
- 18 (4) the medical examiner's license number and the state  
19 that issued it;
- 20 (5) the medical certification status;
- 21 (6) the expiration date of the medical examiner's  
22 certificate;
- 23 (7) the existence of any medical variance on the  
24 medical examiner's certificate or grandfather provisions;
- 25 (8) any restrictions noted on the medical examiner's  
26 certificate; and

1           (9) the date the medical examiner's certificate  
2 information was posted to the CDLIS driver record.

3           (f) Within 10 calendar days of the expiration or rescission  
4 of the driver's medical examiner's certificate or medical  
5 variance or both, the Secretary shall update the medical  
6 certification status to "not certified".

7           (g) Within 10 calendar days of receipt of information from  
8 the Federal Motor Carrier Safety Administration regarding  
9 issuance or renewal of a medical variance, the Secretary shall  
10 update the CDLIS driver record to include the medical variance  
11 information provided by the Federal Motor Carrier Safety  
12 Administration.

13           (h) The Secretary shall notify the driver of his or her  
14 non-certified status and that his or her CDL will be canceled  
15 unless the driver submits a current medical examiner's  
16 certificate or medical variance or changes his or her  
17 self-certification to driving only in excepted or intrastate  
18 commerce.

19           (i) Within 60 calendar days of a driver's medical  
20 certification status becoming non-certified, the Secretary  
21 shall cancel the CDL.

22           (j) As required under the Code of Federal Regulations 49  
23 CFR 390.39, an operator of a covered farm vehicle, as defined  
24 under Section 18b-101 of this Code, is exempt from the  
25 requirements of this Section.

26           (Source: P.A. 97-208, eff. 1-1-12; 98-176, eff. 7-8-15 (see

1 Section 10 of P.A. 98-722 for the effective date of changes  
2 made by P.A. 98-176).)

3 Section 95. No acceleration or delay. Where this Act makes  
4 changes in a statute that is represented in this Act by text  
5 that is not yet or no longer in effect (for example, a Section  
6 represented by multiple versions), the use of that text does  
7 not accelerate or delay the taking effect of (i) the changes  
8 made by this Act or (ii) provisions derived from any other  
9 Public Act.

10 Section 999. Effective date. This Act takes effect July 1,  
11 2015.