

1 AMENDMENT TO HOUSE BILL 2056

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2056, AS AMENDED,  
3 with reference to page and line numbers of House Amendment  
4 No. 1, by replacing lines 6 through 21 on page 1, all of  
5 pages 2 and 3, and lines 1 through 21 on page 4 with the  
6 following:

7 "changing Sections 11-1414, 12-215, 12-805, and 12-815 and  
8 adding Sections 12-802.1 and 12-816 as follows:

9 (625 ILCS 5/11-1414) (from Ch. 95 1/2, par. 11-1414)  
10 Sec. 11-1414. Approaching, overtaking, and passing  
11 school bus.

12 (a) The driver of a vehicle shall stop such vehicle  
13 before meeting or overtaking, from either direction, any  
14 school bus stopped for the purpose of receiving or  
15 discharging pupils on a highway, on a roadway on school  
16 property, or upon a private road within an area that is  
17 covered by a contract or agreement executed pursuant to  
18 Section 11-209.1 of this Code. Such stop is required before  
19 reaching the school bus when there is in operation on the  
20 school bus the visual signals as specified in Sections 12-803  
21 and 12-805 of this Code. The driver of the vehicle shall not  
22 proceed until the school bus resumes motion or the driver of

1 the vehicle is signaled by the school bus driver to proceed  
2 or the visual signals are no longer actuated.

3 (b) The stop signal arm required by Section 12-803 of  
4 this Code shall be extended after the school bus has come to  
5 a complete stop for the purpose of loading or discharging  
6 pupils and shall be closed before the school bus is placed in  
7 motion again. The stop signal arm shall not be extended at  
8 any other time.

9 (c) The alternately flashing red signal lamps of an  
10 8-lamp flashing signal system required by Section 12-805 of  
11 this Code shall be actuated after the school bus has come to  
12 a complete stop for the purpose of loading or discharging  
13 pupils and shall be turned off before the school bus is  
14 placed in motion again. The red signal lamps shall not be  
15 actuated at any other time except as provided in paragraph  
16 (d) of this Section.

17 (d) The alternately flashing amber signal lamps of an  
18 8-lamp flashing signal system required by Section 12-805 of  
19 this Code shall be actuated continuously during not less than  
20 the last 100 feet traveled by the school bus before stopping  
21 for the purpose of loading or discharging pupils within an  
22 urban area and during not less than the last 200 feet  
23 traveled by the school bus outside an urban area. The amber  
24 signal lamps shall remain actuated until the school bus is  
25 stopped. The amber signal lamps shall not be actuated at any  
26 other time.

27 (e) The driver of a vehicle upon a highway having 4 or  
28 more lanes which permits at least 2 lanes of traffic to  
29 travel in opposite directions need not stop such vehicle upon  
30 meeting a school bus which is stopped in the opposing  
31 roadway; and need not stop such vehicle when driving upon a  
32 controlled access highway when passing a school bus traveling  
33 in either direction that is stopped in a loading zone  
34 adjacent to the surfaced or improved part of the controlled

1 access highway where pedestrians are not permitted to cross.

2 (f) Beginning with the effective date of this amendatory  
3 Act of 1985, the Secretary of State shall suspend for a  
4 period of 3 months the driving privileges of any person  
5 convicted of a violation of subsection (a) of this Section or  
6 a similar provision of a local ordinance; the Secretary shall  
7 suspend for a period of one year the driving privileges of  
8 any person convicted of a second or subsequent violation of  
9 subsection (a) of this Section or a similar provision of a  
10 local ordinance if the second or subsequent violation occurs  
11 within 5 years of a prior conviction for the same offense. In  
12 addition to the suspensions authorized by this Section, any  
13 person convicted of violating this Section or a similar  
14 provision of a local ordinance shall be subject to a  
15 mandatory fine of \$150 or, upon a second or subsequent  
16 violation, \$500. The Secretary may also grant, for the  
17 duration of any suspension issued under this subsection, a  
18 restricted driving permit granting the privilege of driving a  
19 motor vehicle between the driver's residence and place of  
20 employment or within other proper limits that the Secretary  
21 of State shall find necessary to avoid any undue hardship. A  
22 restricted driving permit issued hereunder shall be subject  
23 to cancellation, revocation and suspension by the Secretary  
24 of State in like manner and for like cause as a driver's  
25 license may be cancelled, revoked or suspended; except that a  
26 conviction upon one or more offenses against laws or  
27 ordinances regulating the movement of traffic shall be deemed  
28 sufficient cause for the revocation, suspension or  
29 cancellation of the restricted driving permit. The Secretary  
30 of State may, as a condition to the issuance of a restricted  
31 driving permit, require the applicant to participate in a  
32 designated driver remedial or rehabilitative program. Any  
33 conviction for a violation of this subsection shall be  
34 included as an offense for the purposes of determining

1 suspension action under any other provision of this Code,  
 2 provided however, that the penalties provided under this  
 3 subsection shall be imposed unless those penalties imposed  
 4 under other applicable provisions are greater.

5 The owner of any vehicle alleged to have violated  
 6 paragraph (a) of this Section shall, upon appropriate demand  
 7 by the State's Attorney, ~~or~~ other authorized prosecutor, or  
 8 law enforcement officer acting in response to a signed  
 9 complaint, provide a written statement or deposition  
 10 identifying the operator of the vehicle if such operator was  
 11 not the owner at the time of the alleged violation. Failure  
 12 to supply such information shall be construed to be the same  
 13 as a violation of paragraph (a) and shall be subject to the  
 14 same penalties herein provided. In the event the owner has  
 15 assigned control for the use of the vehicle to another, the  
 16 person to whom control was assigned shall comply with the  
 17 provisions of this paragraph and be subject to the same  
 18 penalties as herein provided.

19 (g) A law enforcement officer shall have the power to  
 20 issue a citation in response to a signed complaint concerning  
 21 a violation of subsection (a) of this Section or a similar  
 22 provision of a local ordinance.

23 (Source: P.A. 91-260, eff. 1-1-00.)"; and

24 on page 9, below line 8, by inserting the following:

25 "(625 ILCS 5/12-802.1 new)

26 Sec. 12-802.1. Exterior reflective markings.

27 (a) Every school bus sold or manufactured for use in  
 28 Illinois on or after January 1, 2002 must be equipped with  
 29 exterior reflective markings on the rear and sides of the bus  
 30 that comply with rules adopted by the Illinois Department of  
 31 Transportation.

32 (b) The Department shall adopt rules for implementing  
 33 this Section. The rules:

1           (1) Shall require the rear of school buses to be  
 2 marked with reflective material to outline the perimeter  
 3 of the back of the bus and the perimeter of the rear  
 4 emergency exit.

5           (2) Shall require the horizontal application of  
 6 strips of reflective material, not less than 1.75 inches  
 7 wide, above the rear windows, and above the rear bumper  
 8 from the edges of the rear emergency exit door to both  
 9 corners of the school bus with vertical strips of  
 10 reflective material at each corner connected to the  
 11 horizontal strips.

12           (3) Shall require the horizontal application of  
 13 strips of reflective material, not less than 1.75 inches  
 14 wide, the entire length of the sides of the school bus  
 15 and located equidistant, or as close as practicable,  
 16 between the bottom of the bus and the bottom window line  
 17 so as not to interfere with required lettering and not to  
 18 be placed on rub rails."; and

19 on page 10, below line 2, by inserting the following:

20           "(625 ILCS 5/12-815) (from Ch. 95 1/2, par. 12-815)  
 21           Sec. 12-815. Strobe lamp on school bus.

22           (a) A school bus manufactured prior to January 1, 2000  
 23 may be equipped with one strobe lamp that will emit 60 to 120  
 24 flashes per minute of white or bluish-white light visible to  
 25 a motorist approaching the bus from any direction. A school  
 26 bus manufactured on or after January 1, 2000 shall be  
 27 equipped with one strobe lamp that will emit 60 to 120  
 28 flashes per minute of white or bluish-white light visible to  
 29 a motorist approaching the bus from any direction. The lamp  
 30 shall be of sufficient brightness to be visible in normal  
 31 sunlight when viewed directly from a distance of at least one  
 32 mile.

33           (b) The strobe lamp shall be mounted on the rooftop of

1 the bus with the light generating element in the lamp located  
 2 equidistant from each side and either at or behind the center  
 3 of the rooftop. The maximum height of the element above the  
 4 rooftop shall not exceed 1/30 of its distance from the rear  
 5 of the rooftop. If the structure of the strobe lamp obscures  
 6 the light generating element, the element shall be deemed to  
 7 be in the center of the lamp with a maximum height 1/4 inch  
 8 less than the maximum height of the strobe lamp unless  
 9 otherwise indicated in rules and regulations promulgated by  
 10 the Department. The Department may promulgate rules and  
 11 regulations to govern measurements, glare, effectiveness and  
 12 protection of strobe lamps on school buses, including higher  
 13 strobe lamps than authorized in this paragraph.

14 (c) The strobe lamp must ~~may~~ be lighted ~~only~~ when the  
 15 school bus ~~is-actually-being-used-as-a-school-bus-and:~~

16 1. is stopping or stopped for loading or  
 17 discharging pupils ~~on-a-highway-outside-an-urban-area;~~ or

18 2. is bearing one or more pupils ~~and-is-either~~  
 19 ~~stopped-or,-in-the-interest-of--safety,-is-moving-very~~  
 20 ~~slowly-at-a-speed:~~

21 (i) ~~--less--than-the-posted-minimum-speed-limit,~~  
 22 or

23 (ii) ~~--less-than-30-miles-per-hour-on-a--highway~~  
 24 ~~outside-an-urban-area.~~

25 (Source: P.A. 91-168, eff. 1-1-00; 91-679, eff. 1-26-00.)

26 (625 ILCS 5/12-816 new)

27 Sec. 12-816. Bus driver complaints; reporting and  
 28 investigation.

29 (a) Any school bus operating in the State of Illinois,  
 30 as defined in Section 1-182 of this Code, shall display a  
 31 toll free number, which may be contacted to report the  
 32 improper operation of a school bus. The toll free number  
 33 shall be conspicuously displayed on the exterior of every

1 school bus.

2 (b) The Secretary of State, subject to appropriation,  
3 shall adopt rules establishing a toll free number that may be  
4 contacted to report the improper operation of a school bus.  
5 In addition, the Secretary of State shall establish by rule a  
6 procedure for response to these reports and a procedure under  
7 which the reports are forwarded to the appropriate law  
8 enforcement and school officials within a reasonable period  
9 of time.

10 (c) There shall be established in the Office of  
11 Secretary of State, subject to appropriation, a division  
12 exclusively dedicated to handling receipt, investigation, and  
13 follow up of all complaints related to this Section. This  
14 division shall also be responsible for all administrative  
15 hearings that occur as result of action taken by the  
16 Secretary in conjunction with the rules provided for in  
17 subsection (b) of this Section.

18 (d) The School Bus Toll Free Hotline Fund is created as  
19 a special fund in the State treasury. The moneys in the fund  
20 shall come from appropriations. All moneys in the School Bus  
21 Toll Free Hotline Fund shall, subject to appropriation, be  
22 used to implement the activities required under this Section.

23 Section 10. The State Finance Act is amended by adding  
24 Section 5.545 as follows:

25 (30 ILCS 105/5.545 new)  
26 Sec. 5.545. The School Bus Toll Free Hotline Fund."