



Rep. Jennifer Gong-Gershowitz

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10300HB4623ham001

LRB103 37447 RLC 70974 a

1 AMENDMENT TO HOUSE BILL 4623

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4623 on page 1,  
3 line 5, by replacing "Section 6-106.1" with "Sections 6-106.1  
4 and 6-508"; and

5 on page 13, by inserting immediately below line 16 the  
6 following:

7 "(625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)  
8 Sec. 6-508. Commercial Driver's License (CDL);  
9 qualification standards.

10 (a) Testing.

11 (1) General. No person shall be issued an original or  
12 renewal CDL unless that person is domiciled in this State  
13 or is applying for a non-domiciled CDL under Sections  
14 6-509 and 6-510 of this Code. The Secretary shall cause to  
15 be administered such tests as the Secretary deems  
16 necessary to meet the requirements of 49 CFR Part 383,

1 subparts F, G, H, and J.

2 (1.5) Effective July 1, 2014, no person shall be  
3 issued an original CDL or an upgraded CDL that requires a  
4 skills test unless that person has held a CLP, for a  
5 minimum of 14 calendar days, for the classification of  
6 vehicle and endorsement, if any, for which the person is  
7 seeking a CDL.

8 (2) Third party testing. The Secretary of State may  
9 authorize a "third party tester", pursuant to 49 CFR  
10 383.75 and 49 CFR 384.228 and 384.229, to administer the  
11 skills test or tests specified by the Federal Motor  
12 Carrier Safety Administration pursuant to the Commercial  
13 Motor Vehicle Safety Act of 1986 and any appropriate  
14 federal rule.

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

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

25 (iii) Except for persons seeking the H endorsement,  
26 persons must complete the theory and behind-the-wheel

1 (range and public road) portions of ELDT within one year  
2 of completing the first portion.

3 (iv) The Secretary shall adopt rules to implement this  
4 subsection.

5 (b) Waiver of Skills Test. The Secretary of State may  
6 waive the skills test specified in this Section for a driver  
7 applicant for a commercial driver license who meets the  
8 requirements of 49 CFR 383.77. The Secretary of State shall  
9 waive the skills tests specified in this Section for a driver  
10 applicant who has military commercial motor vehicle  
11 experience, subject to the requirements of 49 CFR 383.77.

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

15 (1) non-excepted interstate;

16 (2) non-excepted intrastate;

17 (3) excepted interstate; or

18 (4) excepted intrastate.

19 (b-2) (Blank).

20 (c) Limitations on issuance of a CDL. A CDL shall not be  
21 issued to a person while the person is subject to a  
22 disqualification from driving a commercial motor vehicle, or  
23 unless otherwise permitted by this Code, while the person's  
24 driver's license is suspended, revoked, or cancelled in any  
25 state, or any territory or province of Canada; nor may a CLP or  
26 CDL be issued to a person who has a CLP or CDL issued by any

1 other state, or foreign jurisdiction, nor may a CDL be issued  
2 to a person who has an Illinois CLP unless the person first  
3 surrenders all of these licenses or permits. However, a person  
4 may hold an Illinois CLP and an Illinois CDL providing the CLP  
5 is necessary to train or practice for an endorsement or  
6 vehicle classification not present on the current CDL. No CDL  
7 shall be issued to or renewed for a person who does not meet  
8 the requirement of 49 CFR 391.41(b)(11). The requirement may  
9 be met with the aid of a hearing aid.

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

15 (1) the person has submitted his or her fingerprints  
16 to the Illinois State Police in the form and manner  
17 prescribed by the Illinois State Police. These  
18 fingerprints shall be checked against the fingerprint  
19 records now and hereafter filed in the Illinois State  
20 Police and Federal Bureau of Investigation criminal  
21 history records databases;

22 (2) the person has passed a written test, administered  
23 by the Secretary of State, on charter bus operation,  
24 charter bus safety, and certain special traffic laws  
25 relating to school buses determined by the Secretary of  
26 State to be relevant to charter buses, and submitted to a

1 review of the driver applicant's driving habits by the  
2 Secretary of State at the time the written test is given;

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

6 (4) the person has not been convicted of committing or  
7 attempting to commit any one or more of the following  
8 offenses: (i) those offenses defined in Sections 8-1.2,  
9 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2,  
10 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20,  
11 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6,  
12 11-9, 11-9.1, 11-9.3, 11-9.4, 11-14, 11-14.1, 11-14.3,  
13 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18,  
14 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,  
15 11-20.1B, 11-20.3, 11-20.4, 11-21, 11-22, 11-23, 11-24,  
16 11-25, 11-26, 11-30, 12-2.6, 12-3.1, 12-3.3, 12-4, 12-4.1,  
17 12-4.2, 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7,  
18 12-4.9, 12-6, 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5,  
19 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-21.5,  
20 12-21.6, 12-33, 12C-5, 12C-10, 12C-20, 12C-30, 12C-45,  
21 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1,  
22 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2,  
23 24-1.2-5, 24-1.6, 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8,  
24 24-3.9, 31A-1, 31A-1.1, 33A-2, and 33D-1, and in  
25 subsection (b) of Section 8-1, and in subdivisions (a)(1),  
26 (a)(2), (b)(1), (e)(1), (e)(2), (e)(3), (e)(4), and (f)(1)

1 of Section 12-3.05, and in subsection (a) and subsection  
2 (b), clause (1), of Section 12-4, and in subsection (A),  
3 clauses (a) and (b), of Section 24-3, and those offenses  
4 contained in Article 29D of the Criminal Code of 1961 or  
5 the Criminal Code of 2012; (ii) those offenses defined in  
6 the Cannabis Control Act except those offenses defined in  
7 subsections (a) and (b) of Section 4, and subsection (a)  
8 of Section 5 of the Cannabis Control Act; (iii) those  
9 offenses defined in the Illinois Controlled Substances  
10 Act; (iv) those offenses defined in the Methamphetamine  
11 Control and Community Protection Act; (v) any offense  
12 committed or attempted in any other state or against the  
13 laws of the United States, which if committed or attempted  
14 in this State would be punishable as one or more of the  
15 foregoing offenses; (vi) the offenses defined in Sections  
16 4.1 and 5.1 of the Wrongs to Children Act or Section  
17 11-9.1A of the Criminal Code of 1961 or the Criminal Code  
18 of 2012; (vii) those offenses defined in Section 6-16 of  
19 the Liquor Control Act of 1934; and (viii) those offenses  
20 defined in the Methamphetamine Precursor Control Act.

21 The Illinois State Police shall charge a fee for  
22 conducting the criminal history records check, which shall be  
23 deposited into the State Police Services Fund and may not  
24 exceed the actual cost of the records check.

25 (c-2) The Secretary shall issue a CDL with a school bus  
26 endorsement to allow a person to drive a school bus as defined

1 in this Section. The CDL shall be issued according to the  
2 requirements outlined in 49 CFR 383. A person may not operate a  
3 school bus as defined in this Section without a school bus  
4 endorsement. The Secretary of State may adopt rules consistent  
5 with Federal guidelines to implement this subsection (c-2).

6 (d) (Blank).

7 (Source: P.A. 101-185, eff. 1-1-20; 102-168, eff. 7-27-21;  
8 102-299, eff. 8-6-21; 102-538, eff. 8-20-21; 102-813, eff.  
9 5-13-22.)"; and

10 on page 25, line 15, by inserting after the period the  
11 following:

12 "Child pornography" does not include images or materials in  
13 which the creator of the image or materials is the sole subject  
14 of the depiction."; and

15 on page 28, line 12, by deleting "cartoon, animation,"; and

16 on page 29, line 12, by replacing "possesses," with  
17 "obtains,"; and

18 by replacing line 23 on page 102 through line 14 on page 126  
19 with the following:

20 "Section 97. Severability. The provisions of this Act are  
21 severable under Section 1.31 of the Statute on Statutes."