

1 AN ACT respecting education.

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 changing
5 Section 27-24 and adding Sections 27-24.9, 27-24.10,
6 27-24.11, and 27-24.12 as follows:

7 (105 ILCS 5/27-24) (from Ch. 122, par. 27-24)

8 Sec. 27-24. Short title. Sections 27-24 through
9 27-24.12 ~~27-24-8~~ of this Code Article are known and may be
10 cited as the Driver Education Act.

11 (Source: P. A. 76-1835.)

12 (105 ILCS 5/27-24.9 new)

13 Sec. 27-24.9. Parent or guardian-directed driver
14 education.

15 (a) A parent or legal guardian may elect to teach his or
16 her child's driver education course if the parent or
17 guardian:

18 (1) is a licensed driver;

19 (2) has not had his or her driver's license
20 suspended within the past 5 years; and

21 (3) has never been convicted of driving under the
22 influence of alcohol, drugs, or intoxicating compounds,
23 leaving the scene of an accident involving personal
24 injury or death, or reckless homicide and has never
25 received a statutory summary suspension of his or her
26 driver's license.

27 (b) A parent or guardian electing to teach his or her
28 child's driver education course must maintain adequate
29 records, as prescribed by rule by the State Board, to
30 demonstrate that approved driver education material was

1 completed and must provide those records to the person or
2 company providing the driver education materials. The
3 parent or guardian must demonstrate proof of insurance to the
4 person or company providing the driver education materials.

5 (c) The student driver must spend the minimum number of
6 hours provided by rule of the State Board in classroom
7 instruction and practice driving instruction.

8 (d) Any parent or guardian-directed driver education
9 course must meet with the approval of the State Board.

10 (e) The State Board may not approve a course unless the
11 State Board determines that the course materials are at least
12 equal to those required in a school-based course approved by
13 the State Board. The State Board, however, may not require
14 that the classroom instruction be provided in a room having
15 particular characteristics or equipment or that the vehicle
16 used for the practice driving instruction have equipment
17 other than the equipment required by law for operation on a
18 highway.

19 (f) Before the State Board may approve a driver
20 education course, the person or company offering the course
21 materials must register with the Secretary of State to do
22 business in Illinois and must have professional liability
23 insurance for the course materials and company being
24 considered. The company's insurance policy must include the
25 State of Illinois as an additional insured.

26 (g) The State Board shall supply to companies with
27 approved driver education courses any applications and other
28 materials necessary for obtaining an instruction permit under
29 the Illinois Vehicle Code.

30 (h) The rules adopted by the State Board must include
31 requirements for obtaining approval of a driver education
32 course and for proof of completion of an approved parent or
33 guardian-directed driver education course.

34 (i) Completion of a parent or guardian-directed driver

1 education course approved under this Section is equivalent to
2 completion of a school-based driver education course approved
3 by the State Board.

4 (j) Students participating in parent or
5 guardian-directed driver education courses approved by the
6 State Board must meet current academic requirements for
7 participating in driver education under Section 27-24.2 of
8 this Code.

9 (k) In order for a parent or guardian-directed driver
10 education course to be approved, the parent or guardian must
11 perform at least 50 hours of practice driving instruction,
12 including 10 hours of practice driving instruction during the
13 nighttime hours.

14 (l) The State Board shall make a listing of approved
15 driver education courses available on its website.

16 (105 ILCS 5/27-24.10 new)

17 Sec. 27-24.10. Unauthorized transfer of a certificate of
18 completion of a driver education course. Any parent or
19 guardian who knowingly sells, trades, issues, or otherwise
20 transfers or possesses with intent to sell, trade, issue, or
21 otherwise transfer a certificate of completion of a driver
22 education course to an individual, firm, or corporation not
23 authorized to possess the certificate is guilty of a Class C
24 misdemeanor.

25 (105 ILCS 5/27-24.11 new)

26 Sec. 27-24.11. Unauthorized possession of a certificate
27 of completion of a driver education course. Any parent or
28 guardian who knowingly possesses a certificate of completion
29 of a driver education course when he or she is not authorized
30 to possess the certificate is guilty of a Class C
31 misdemeanor.

1 (105 ILCS 5/27-24.12 new)
 2 Sec. 27-24.12. State Board's response to possible
 3 violations. If a member of the State Board believes that a
 4 company providing driver education materials or a parent or
 5 guardian has violated any provision of Sections 27-24.9
 6 through 27-24.11 of this Code or a rule adopted under those
 7 Sections, the State Board may, without notice, order
 8 appropriate sanctions.

9 Section 10. The Illinois Vehicle Code is amended by
 10 changing Section 6-107 as follows:

11 (625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)

12 Sec. 6-107. Graduated license.

13 (a) The purpose of the Graduated Licensing Program is
 14 to develop safe and mature driving habits in young,
 15 inexperienced drivers and reduce or prevent motor vehicle
 16 accidents, fatalities, and injuries by:

17 (1) providing for an increase in the time of
 18 practice period before granting permission to obtain a
 19 driver's license;

20 (2) strengthening driver licensing and testing
 21 standards for persons under the age of 21 years;

22 (3) sanctioning driving privileges of drivers under
 23 age 21 who have committed serious traffic violations or
 24 other specified offenses; and

25 (4) setting stricter standards to promote the
 26 public's health and safety.

27 (b) The application of any person under the age of 18
 28 years, and not legally emancipated by marriage, for a drivers
 29 license or permit to operate a motor vehicle issued under the
 30 laws of this State, shall be accompanied by the written
 31 consent of either parent of the applicant; otherwise by the
 32 guardian having custody of the applicant, or in the event

1 there is no parent or guardian, then by another responsible
2 adult.

3 No graduated driver's license shall be issued to any
4 applicant under 18 years of age, unless the applicant has:

5 (1) Held a valid instruction permit for a minimum
6 of 3 months.

7 (2) Passed an approved driver education course and
8 submits proof of having passed the course as may be
9 required.

10 (3) certification by the parent, legal guardian, or
11 responsible adult that the applicant has had a minimum of
12 25 hours of behind-the-wheel practice time and is
13 sufficiently prepared and able to safely operate a motor
14 vehicle. Performance of the required number of hours of
15 practice driving instruction provided for under Section
16 27-24.9 of the School Code is sufficient for compliance
17 with this paragraph (3).

18 (c) No graduated driver's license or permit shall be
19 issued to any applicant under 18 years of age who has
20 committed the offense of operating a motor vehicle without a
21 valid license or permit in violation of Section 6-101 of this
22 Code and no graduated driver's license or permit shall be
23 issued to any applicant under 18 years of age who has
24 committed an offense that would otherwise result in a
25 mandatory revocation of a license or permit as provided in
26 Section 6-205 of this Code or who has been either convicted
27 of or adjudicated a delinquent based upon a violation of the
28 Cannabis Control Act or the Illinois Controlled Substances
29 Act, while that individual was in actual physical control of
30 a motor vehicle. For purposes of this Section, any person
31 placed on probation under Section 10 of the Cannabis Control
32 Act or Section 410 of the Illinois Controlled Substances Act
33 shall not be considered convicted. Any person found guilty of
34 this offense, while in actual physical control of a motor

1 vehicle, shall have an entry made in the court record by the
2 judge that this offense did occur while the person was in
3 actual physical control of a motor vehicle and order the
4 clerk of the court to report the violation to the Secretary
5 of State as such.

6 (d) No graduated driver's license shall be issued for 6
7 months to any applicant under the age of 18 years who has
8 been convicted of any offense defined as a serious traffic
9 violation in this Code or a similar provision of a local
10 ordinance.

11 (e) No graduated driver's license holder under the age
12 of 18 years shall operate any motor vehicle, except a motor
13 driven cycle or motorcycle, with more than one passenger in
14 the front seat of the motor vehicle and no more passengers in
15 the back seats than the number of available seat safety belts
16 as set forth in Section 12-603 of this Code.

17 (f) No graduated driver's license holder under the age
18 of 18 shall operate a motor vehicle unless each driver and
19 front or back seat passenger under the age of 18 is wearing a
20 properly adjusted and fastened seat safety belt.

21 (Source: P.A. 90-369, eff. 1-1-98.)