

Illinois State Board of Education
Division of Funding and Disbursement Services

School Vehicle Use
Updated July 2017

The transportation and safety of the more than 2 million Illinois school age children is of primary importance. This document has been prepared to guide local education agencies (LEAs) in understanding the types of vehicles that are allowed to transport school age pupils, proper driver licensure as well as the eligible cost for purposes of submitting a claim via the Pupil Transportation Claim Reimbursement System (PTCRS).

TRANSPORTATION ROUTES - TYPES

The proper and claimable use of a vehicle used to transport school age pupils stems from the different types of transportation provided by the LEA. Specifically, a clear understanding of the different types of transportation routes is critical prior to determining the type of vehicle to be used.

Regular Route (reimbursable trips) - A route that occurs *on a regularly scheduled basis* for the purposes of transporting pupils between school and home or between schools when attendance is required at a location other than the pupil's assigned school to enable them to receive educational services of the school district required as part of the pupil's five daily clock hours of school work (including curriculum-related trips).

The most common regular routes are those between home and school. However, there are other types of routes that are considered regular such as tripper or shuttle service between schools, those to a vocational/career center, other trade-skill-development sites, a regional safe school or other school sponsored alternative learning program.

Curriculum-related Field Trip (reimbursable trips) – A trip that is provided free of charge and directly related to the regular curriculum of a pupil for which he or she earns credit for graduation and occurs during their required five clock hours of instruction. The location of the field trip is considered to be an alternative attendance center. [23 Ill. Adm. Code Section 120.30(d)]

Extra-curricular/Co-curricular Activity Trip (reimbursable trips) – Trips driven to transport pupils following voluntary extracurricular and/or co-curricular activities, including sports practices, club meetings, drama rehearsals, or choral and band practices immediately preceding or following the school day. [23 Ill. Adm. Code Section 120.30(a)(5)]

School-sponsored Activity Trip (non-reimbursable trips) – A trip that is a school sponsored activity such as interscholastic, interscholastic athletic or any other school sponsored non-curriculum related activity trip that does not require pupil participation as part of the educational services of the district, as part of the pupils' regular class for credit schedule and the required five clock hours of instruction. [105 ILCS 5/29-6.3]

VEHICLE TYPES [Illinois Vehicle Code - 625 ILCS 5/1-217 & 1-148.3a-5]

FIRST DIVISION VEHICLES

First Division vehicles are defined in the Illinois Vehicle Code as motor vehicles designed to carry no more than 10 persons total.

First Division vehicles can be used to transport 10 or fewer persons, including the driver, on regular routes for any and all school-sponsored activities, including curriculum-related trips. Examples of First Division vehicles include cars, station wagons, mini-vans (10 passengers or less which includes the driver), taxi cabs, medical carrier or medi-car, and Suburbans. The manufacturer sticker (Federal Certification Label) located on the inside of the driver's side door will stipulate MPV for Multi-Passenger Vehicle, MPPV (Multi-Purpose Passenger Vehicle), or Passenger Car [49 CFR 571.3]

Claimable Use

The Illinois State Board of Education (ISBE) does not encourage LEAs to use First Division vehicles for pupil transportation; rather, they should be the exception and a last resort alternative when a school bus is not an option, not as a first line of transportation. Regular route mileage and depreciation are claimable for First Division vehicles on the Annual Pupil Transportation Reimbursement Claim.

Public or non-public schools using First Division vehicles, including taxi cabs that transport pupils on a regular route must ensure that:

- all vehicles are inspected at an Illinois Department of Transportation (IDOT) inspection lane every 6 months or 10,000 miles (whichever is first) [625 ILCS 5/13-109];
- insurance policies issued or renewed must ensure that the vehicles are properly insured with a minimum liability amount of \$2,000,000 combined single limit accident or \$1,000,000 liability combined with a \$5,000,000 umbrella policy [625 ILCS 5/12-707.01] effective January 1, 2017;
- the driver of such vehicles used to transport pupils on regular routes (to and from school) and between attendance centers, as well as curriculum-related trips have valid School Bus Driver Permit; and
- the district/contractor maintains a listing of the drivers' names and copies of the drivers' licenses showing that they have a School Bus Driver Permit or a renewal letter.

Licensure

Parents or legal guardians transporting only their own child for a school district in a First Division vehicle must have a current and properly classified driver's license, but do not need a School Bus Driver's Permit.

Drivers other than parents or legal guardians transporting pupils in First Division vehicles over a regular route (to and from school), between attendance centers or on curriculum-related trips for the transportation of pupils in grades 12 or below for a school district must possess a valid School Bus Driver's Permit [625 ILCS 5/6-104(d)(2)]

SECOND DIVISION VEHICLES

Second Division vehicles are defined in the Illinois Vehicle Code as motor vehicles designed for carrying more than ten persons, those designed or used for living quarters and those vehicles which are designed for pulling or carrying property, freight or cargo, First Division vehicles remodeled for use and used as Second Division motor vehicles, and those First Division motor vehicles used and registered as school buses [625 ILCS 5/1-217].

The most common Second Division vehicle used for school related purposes and the safest form of ground transportation for school age children is the yellow school bus. Only school buses can be painted national school bus glossy yellow. No bus (e.g. Multi-Function School Activity Bus, church, etc.) other than a school bus shall be painted national school bus glossy yellow or a color that closely resembles national school bus glossy yellow. A bus owned and operated by a religious organization that is used in connection with a school, must be national school bus glossy yellow. If the bus is used for a religious organization only, then the color cannot be national school bus glossy yellow [625 ILCS 5/12-900].

School Bus [Illinois Vehicle Code 625 ILCS 5/1-182]

(a) "School bus" means every motor vehicle, except as provided in paragraph (b) of this Section, owned or operated by or for any of the following entities for the transportation of persons regularly enrolled as pupils in grade 12 or below in connection with any activity of such entity:

- Any public or private primary or secondary school;
- Any primary or secondary school operated by a religious institution; or
- Any public, private or religious nursery school

(b) This definition shall not include the following:

1. A bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interurban transportation of passengers when such bus is not traveling a specific school bus route but is: On a regularly scheduled route for the transportation of other fare paying passengers; Furnishing charter service for the transportation of groups on field trips or other special trips or in connection with other special events; or Being used for shuttle service between attendance centers or other educational facilities;
2. A motor vehicle of the First Division;
3. A multifunction school activity bus.

MULTIFUNCTION SCHOOL ACTIVITY BUS (MFSAB) [625 ILCS 5/1-148.3a-5]

In July 2003, the National Highway Traffic and Safety Administration (NHTSA) defined a new class of school bus, the "Multifunction School Activity Bus" (MFSAB) which was defined as a vehicle that is sold for purposes that do not include transportation between home and school for pupils from kindergarten through Grade 12 (emphasis added). NHTSA promoted this vehicle to serve as a safe choice for institutions, including school districts that have a need to transport groups of people. A particular safety benefit was that the MFSAB was a safer alternative to transporting 11 to 15 passengers instead of the 15 passenger vans that had been used in the past.

The Illinois Vehicle Code defines a multifunction school-activity bus (MFSAB) as a school bus manufactured for the purpose of transporting 11 or more persons, including the driver, whose purposes do not include transporting students to and from home or school bus stops. A MFSAB is prohibited from meeting the special requirements for school buses in Color, Identification, Stop Signal Arm and Special Lighting Equipment (Sections 12-801, 12-803, and 12-805 and subsection (a) of Section 12-802).

Claimable Use

Second Division vehicles cannot be used to transport pupils for any official school activity (i.e. regular route, curricular or co-curricular trips) unless they meet all the design standards for school buses [625 ILCS 5/1-182; 11-1414.1(a); 12-801 et seq.].

Transportation to and from specified interscholastic or school sponsored activities for pupils in grades 12 and below [105 ILCS 5/29-6.3]

(a) Any school district transporting pupils in grade 12 or below for an interscholastic, interscholastic athletic, or school-sponsored, noncurriculum-related activity that (i) does not require pupil participation as part of the educational services of the district and (ii) is not associated with the pupils' regular class-for-credit schedule or required 5 clock hours of instruction shall transport the pupils only in a school bus, a vehicle manufactured to transport not more than 10 persons, including the driver, or a multifunction school-activity bus manufactured to transport not more than 15 persons, including the driver.

Any school district furnishing transportation for pupils under the authority of Section 29-6.3(a) shall insure against any loss or liability of the district resulting from the maintenance, operation, or use of the vehicle.

Exceptions for Curricular-related School Activities [625 ILCS 5/11-1414.1(a)]

MFSABs may be used for curricular-related school activities except home-to-school and school-to-home transportation for pupils in grades 9-12 and students in any grade K-12 with an Individualized Education Plan (IEP) with a staff to student ratio of 1 to 5 attending Acacia Academy, Alexander Leigh, Marklund, Helping Hands Center, Connections Organization or New Horizon Academy.

(a) Every student enrolled in grade 12 or below in any entity listed in subsection (a) of Section 1-182 of this Code must be transported in a school bus or a vehicle described in subdivision (1) or (2) of subsection (b) of Section 1-182 of this Code for any curriculum-related school activity, except a student in any of grades 9 through 12 or a student in any of grades K through 12 with an Individualized Education Plan (IEP) with a staff to student ratio of 1 to 5, and attending Acacia Academy, Alexander Leigh, Marklund, Helping Hands Center, Connections Organization, or New Horizon Academy may be transported in a multi-function school activity bus (MFSAB) as defined in Section 1-148.3a-5 of this Code for any curriculum-related activity except for transportation on regular bus routes from home to school or from school to home, subject to the following conditions::

(i) A MFSAB may not be used to transport pupils under this Section unless the driver holds a valid school bus driver permit.

(ii) The use of a MFSAB under this Section is subject to the requirements of Sections 6-106.11, 6-106.12, 12-707.01, 13-101, and 13-109 of the Illinois Vehicle Code.

Regular route mileage and depreciation are claimable for MFSABs used to transport pupils in grades 9-12 on the Annual Pupil Transportation Reimbursement Claim.

NOTE: Entities that use MFSABs to transport pupils in grades 9-12 for curricular activities must ensure that liability insurance policies issued or renewed January 1, 2013 shall carry a minimum amount of \$2,000,000 combined single limit per accident. This minimum insurance requirement may be satisfied by either a \$2,000,000 combined single limit primary commercial automobile policy or a \$1,000,000 primary commercial automobile policy and a minimum \$5,000,000 excess or umbrella liability policy [625 ILCS 5/12-707.01] effective 1/1/2017.

School Districts - A MFSAB cannot be used to transport any pupils in grades 8 or below for any official school activity (i.e. regular route, curricular or co-curricular trips). They may only be used for interscholastic athletic or other interscholastic or school-sponsored activities that do not require pupil participation as part of the pupils' regular credit schedule and the required five clock hours of instruction. Mileage is not allowed on the Annual Pupil Transportation Reimbursement Claim; however, depreciation is permitted.

Licensure

The proper licensure of all drivers of Second Division vehicles (i.e. 11 persons or more including the driver) for pupil transportation is dictated by the activity, the grade level and the manufactured capacity of the Second Division vehicle being driven.

Any driver of a school bus transporting pre-primary, primary or secondary school pupils must have a properly classified Commercial Driver's License (CDL) with a "P" passenger and "S" school bus endorsement [625 ILCS 5/6-104(d); 5/6-508(c-2)].

Activity – Curricular
Grade Level – 12 or less
Vehicle – Yellow School Bus carrying 16 or more passengers
License – School Bus Driver Permit (CDL)

Activity – Curricular
Grade Level – 9 - 12
Vehicle – MFSAB carrying 15 passengers or less
License - School Bus Driver Permit (CDL) or Restricted School Bus Driver Permit (Non CDL)

Activity – Curricular
Grade Level – 9-12
Vehicle – MFSAB carrying 16 passengers or more
License – School Bus Driver Permit (CDL)

Activity – Non Curricular
Grade Level – 12 or less
Vehicle – Yellow School Bus carrying 16 or more passengers
License – School Bus Driver Permit (CDL)

Activity – Non Curricular
Grade Level – 12 or less
Vehicle – MFSAB carrying 15 passengers or less
License – Valid drivers’ license

Activity – Non Curricular
Grade Level – 12 or less
Vehicle – MFSAB carrying 16 passengers or more
License – Commercial Driver’s License (CDL) with a “P” passenger endorsement

ADDITIONAL FACTS

- It is illegal for a school district or non-public school to purchase, lease or use a passenger/cargo van manufactured to carry 11–15 passengers to transport students for any reason ;
- School districts or non-public schools could be held liable in a lawsuit for knowingly using the 11-15 passenger/cargo van that does not conform to the federal motor vehicle safety standards for vehicles used by or for a school district when used to transport pupils for any reason.

The National Highway Traffic Safety Administration (NHTSA), National Association for Pupil Transportation (NAPT) and the National Association of State Directors of Pupil Transportation Services (NASDPTS) believe that school buses may be more expensive than other types of vehicles, but the increased level of safety justifies a higher cost.

ALL VEHICLES

Insurance

All vehicles mentioned should have proof of adequate insurance on file in the school district.

[625 ILCS 5/12-707.01]

Liability insurance policies issued or renewed on and after January 1, 2013 shall comply with the following: (1) any vehicle that is used for a purpose that requires a school bus driver permit and is used in connection with the operation of private day care facilities, day camps, summer camps, or nursery schools shall carry a minimum of liability insurance in the amount of \$1,000,000 combined single limit per accident; (2) all other vehicles which are used for a purpose that requires a school bus driver permit shall carry a minimum of liability insurance in the amount of \$2,000,000 combined single limit per accident. This minimum insurance requirement may be satisfied by either a \$2,000,000 combined single limit primary commercial automobile policy or a \$1,000,000 primary commercial automobile policy and a minimum \$5,000,000 excess or umbrella liability policy; and (3) any commuter van or passenger car used for a for-profit ridesharing arrangement shall carry a minimum of liability insurance in the amount of \$500,000 combined single limit per accident. Effective August 24, 2012.

Required Inspections

The Illinois Vehicle Inspection Law requires first division vehicles, including taxis, which are used for a purpose that requires a school bus driver permit and school buses registered in Illinois to be inspected at Illinois Official Testing Stations every six months or 10,000 miles, whichever occurs first. Multi-function school activity buses (MFSABs) are required to be inspected every six months at an Illinois Official Testing Stations [625 ILCS 5/13-101 and 109]. Any component subject to regular inspection which is damaged in a reportable accident must be re-inspected before the vehicle is returned to service [625 ILCS 5/13-109(a)].

“Reportable accident” is defined as:

a) The driver of a vehicle that is in any manner involved in an accident within this State, resulting in injury to or death of any person, or in which damage to the property of any one person, including himself, in excess of \$1,500 (or \$500 if any of the vehicles involved in the accident is subject to Section 7-601 but is not covered by a liability insurance policy in accordance with Section 7-601) is sustained, shall, as soon as possible but not later than 10 days after the accident, forward a written report of the accident to the Administrator.

(b) Whenever a school bus is involved in an accident in this State, caused by a collision, a sudden stop or otherwise, resulting in any property damage, personal injury or death and whenever an accident occurs within 50 feet of a school bus in this State resulting in personal injury to or the death of any person while awaiting or preparing to board the bus or immediately after exiting the bus, the driver shall as soon as possible but not later than 10 days after the accident, forward a written report to the Department of Transportation. If a report is also required under Subsection (a) of this Section, that report and the report required by this Subsection shall be submitted on a single form. [625 ILCS 5/11-406]

Any vehicle used to transport pupils shall be inspected at an official Illinois Department of Transportation (IDOT) testing station every 6 month or 10,000 miles whichever occurs first. Any component subject to regular inspection which is damaged in a reportable accident must be re-inspected before the vehicle is returned to service [625 ILCS 5/13-109(a)]

The Illinois Department of Transportation (IDOT) shall also conduct periodic nonscheduled inspections of school buses, of buses registered as charitable vehicles and of religious organization buses. If such inspection reveals that a vehicle has a serious violation to the rules promulgated by IDOT, then IDOT shall remove the Certificate of Safety from the vehicle, and shall place the vehicle out-of-service. A bright orange, triangular decal shall be placed on an out-of-service vehicle where the Certificate of Safety has been removed. The vehicle must pass a safety test at an official testing station before it is again placed in service. Other violations may qualify for a 30 day warning or a 3 day penalty [625 ILCS 5/13-109(b)].

For the location of the nearest IDOT Official Testing Station, where school buses can be inspected, contact the IDOT Vehicle Inspection Unit at 217-785-1181 or online at the Illinois Department of Transportation's website of:

<http://www.idot.illinois.gov/assets/uploads/files/transportation-system/specialty-lists/safety/lanesforinternet.pdf>

LINKS TO STATE AND NATIONAL ORGANIZATIONS

National Highway Traffic Safety Administration <http://www.nhtsa.dot.gov/>

National Transportation Safety Board <http://www.nts.gov/>

National Association for Pupil Transportation <http://www.napt.org/>

Ill Secretary of State <http://www.cyberdriveillinois.com/>

Ill State Board of Education – Transportation

<https://www.isbe.net/Pages/Funding-and-Disbursements-Transportation-Programs.aspx>

American School Bus Council <http://www.americanschoolbuscouncil.org>

School Bus Transportation News <http://www.stnonline.com>

Illinois Vehicle and School Code Statutes

625 ILCS 5/1-217 Vehicle

Every device, in, upon or by which any person or property is or may be transported or drawn upon a highway or requiring a certificate of title under Section 3-101(d) of this Code, except devices moved by human power, devices used exclusively upon stationary rails or tracks and snowmobiles as defined in the Snowmobile Registration and Safety Act.

For the purposes of this Code, unless otherwise prescribed, a device shall be considered to be a vehicle until such time it either comes within the definition of a junk vehicle, as defined under this Code, or a junking certificate is issued for it.

For this Code, vehicles are divided into 2 divisions:

First Division: Those motor vehicles which are designed for the carrying of not more than 10 persons.

Second Division: Those vehicles which are designed for carrying more than 10 persons, those designed or used for living quarters and those vehicles which are designed for pulling or carrying property, freight or cargo, those motor vehicles of the First Division remodeled for use and used as motor vehicles of the Second Division, and those motor vehicles of the First Division used and registered as school buses.

(Source: P.A. 92-812, eff. 8-21-02.)

625 ILCS 5/1-148.3a-5 Multifunction school activity bus

A multifunction school-activity bus (MFSAB) means a school bus manufactured for the purpose of transporting 11 or more persons, including the driver, whose purposes do not include transporting students to and from home or school bus stops. A MFSAB is prohibited from meeting the special requirements for school buses in Sections 12-801, 12-803, and 12-805 and subsection (a) of Section 12-802 of this Code.

(Source: P.A. 96-410, eff. 7-1-10; 97-378, eff. 8-15-11.)

625 ILCS 5/1-182 School Bus

(a) "School bus" means every motor vehicle, except as provided in paragraph (b) of this Section, owned or operated by or for any of the following entities for the transportation of persons regularly enrolled as pupils in grade 12 or below in connection with any activity of such entity:

Any public or private primary or secondary school;

Any primary or secondary school operated by a religious institution; or

Any public, private or religious nursery school

(b) This definition shall not include the following:

1. A bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interurban transportation of passengers when such bus is not traveling a specific school bus route but is: On a regularly scheduled route for the transportation of other fare paying passengers; Furnishing charter service for the transportation of groups on field trips or other special trips or in connection with other special events; or Being used for shuttle service between attendance centers or other educational facilities
2. A motor vehicle of the First Division
3. A multifunction school-activity bus.

(Source: P.A. 96-410, eff. 7-1-10.)

625 ILCS 5/6-104 Classification of Driver - Special Restrictions

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

No person shall operate a motor vehicle unless such person has a valid license with a proper classification to permit the operation of such vehicle, except that any person may operate a moped if such person has a valid current Illinois driver's license, regardless of classification.

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

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

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

(d-5) No person may drive a bus that does not meet the special requirements for school buses provided in Sections 12-801, 12-802, 12-803, and 12-805 of this Code that has been chartered for the sole purpose of transporting pupils regularly enrolled in grade 12 or below to or from interscholastic athletic or interscholastic or school sponsored activities unless the person has a valid and properly classified commercial driver's license as provided in subsection (c-1) of Section 6-508 of this Code in addition to any other permit or license that is required to operate that bus. This subsection (d-5) does not apply to any bus driver employed by a public transportation provider authorized to conduct local or interurban transportation of passengers when the bus is not traveling a specific school bus route but is on a regularly scheduled route for the transporting of other fare paying passengers

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

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

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

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

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

(g) No person shall drive a bus which meets the special requirements for school buses provided in Section 12-801, 12-802, 12-803 and 12-805 of this Code for the purpose of transporting persons 18 years of age or less in connection with any youth camp licensed under the Youth Camp Act or any child care facility licensed under the Child Care Act of 1969 unless such person possesses a valid school bus driver permit or is accompanied and supervised, for the specific purpose of training prior to routine operation of a school bus, by a person who has held a valid school bus driver permit for at least one year; however, a person who has a valid and properly classified driver's license issued by the Secretary of State may operate a school bus for the purpose of transporting persons 18 years of age or less in connection with any such youth camp or child care facility if the "SCHOOL BUS" signs are covered or concealed and the stop signal arm and flashing signal systems are not operable through normal controls.

(h) No person shall operate an autocyce unless he or she has a valid Class D driver's license.

(Source: P.A. 98-777, eff. 1-1-15.)

625 ILCS 5/6-500 Definition of Words and Phrases

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

(6) Commercial Motor Vehicle.

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

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

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

(ii) is designed to transport 16 or more persons, including the driver; or

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

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

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

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

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

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

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

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

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

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

(ii) a violation relating to reckless driving; or

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

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

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

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

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

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

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

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

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

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

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

(2) Texting does not include:

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

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

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

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

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

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

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

(Source: P.A. 97-208, eff. 1-1-12; 97-829, eff. 1-1-13.)

625 ILCS 5/6-526 Prohibition against texting

(a) A driver may not engage in texting while driving a commercial motor vehicle.

(b) A motor carrier may not allow or require its drivers to engage in texting while driving a commercial motor vehicle.

(c) For the purpose of this Section, when a person is operating a commercial motor vehicle, driving means operating a commercial motor vehicle on a highway, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Driving does not include operating a commercial motor vehicle when the driver has moved the vehicle to the side of, or off, a highway and has halted in a location where the vehicle can safely remain stationary.

(d) Texting while driving is permissible by a driver of a commercial motor vehicle when necessary to communicate with law enforcement officials or other emergency services.

(Source: P.A. 97-829, eff. 1-1-13.)

625 ILCS 5/6-527 Using a hand-held mobile telephone

(a) A driver may not use a hand-held mobile telephone while driving a commercial motor vehicle.

(b) A motor carrier may not allow or require its drivers to use a hand-held mobile telephone while driving a commercial motor vehicle.

(c) For the purpose of this Section, driving means operating a commercial motor vehicle on a highway, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Driving does not include operating a commercial motor vehicle when the driver has moved the vehicle to the side of, or off, a highway and has halted in a location where the vehicle can safely remain stationary.

(d) Using a hand-held mobile telephone is permissible by a driver of a commercial motor vehicle when necessary to communicate with law enforcement officials or other emergency services.

(Source: P.A. 97-829, eff. 1-1-13.)

625 ILCS 5/11-1414.1 School transportation of pupils

(a) Every student enrolled in grade 12 or below in any entity listed in subsection (a) of Section 1-182 of this Code must be transported in a school bus or a vehicle described in subdivision (1) or (2) of subsection (b) of Section 1-182 of this Code for any curriculum-related school activity, except a student in any of grades 9 through 12 or a student in any of grades K through 12 with an Individualized Education Plan (IEP) with a staff to student ratio of 1 to 5, and attending Acacia Academy, Alexander Leigh, Marklund, Helping Hands Center, Connections Organization, or New Horizon Academy may be transported in a multi-function school activity bus (MFSAB) as defined in Section 1-148.3a-5 of this Code for any curriculum-related activity except for transportation on regular bus routes from home to school or from school to home, subject to the following conditions:

(i) A MFSAB may not be used to transport students under this Section unless the driver holds a valid school bus driver permit.

(ii) The use of a MFSAB under this Section is subject to the requirements of Sections 6-106.11, 6-106.12, 12-707.01, 13-101, and 13-109 of this Code.

"Curriculum-related school activity" as used in this subsection (a) includes transportation from home to school or from school to home, tripper or shuttle service between school attendance centers, transportation to a vocational or career center or other trade-skill development site or a regional safe school or other school-sponsored alternative learning program, or a trip that is directly related to the regular curriculum of a student for which he or she earns credit.

(b) Every student enrolled in grade 12 or below in any entity listed in subsection (a) of Section 1-182 of this Code who is transported in a vehicle that is being operated by or for a public or private primary or secondary school, including any

primary or secondary school operated by a religious institution, for an interscholastic, interscholastic-athletic, or school-sponsored, noncurriculum-related activity that (i) does not require student participation as part of the educational services of the entity and (ii) is not associated with the students' regular class-for-credit schedule shall transport students only in a school bus or vehicle described in subsection (b) of Section 1-182 of this Code. This subsection (b) does not apply to any second division vehicle used by an entity listed in subsection (a) of Section 1-182 of this Code for a parade, homecoming, or a similar noncurriculum-related school activity.

(Source: P.A. 99-888, eff. 1-1-17.)

105 ILCS 5/29-6.3 Transportation to and from specified interscholastic or school sponsored activities

(a) Any school district transporting students in grade 12 or below for an interscholastic, interscholastic athletic, or school-sponsored, noncurriculum-related activity that (i) does not require student participation as part of the educational services of the district and (ii) is not associated with the students' regular class-for-credit schedule or required 5 clock hours of instruction shall transport the students only in a school bus, a vehicle manufactured to transport not more than 10 persons, including the driver, or a multifunction school-activity bus manufactured to transport not more than 15 persons, including the driver.

(a-5) A student in any of grades 9 through 12 may be transported in a multifunction school activity bus (MFSAB) as defined in Section 1-148.3a-5 of the Illinois Vehicle Code for any curriculum-related activity except for transportation on regular bus routes from home to school or from school to home, subject to the following conditions:

(i) A MFSAB may not be used to transport students under this Section unless the driver holds a valid school bus driver permit.

(ii) The use of a MFSAB under this Section is subject to the requirements of Sections 6-106.11, 6-106.12, 12-707.01, 13-101, and 13-109 of the Illinois Vehicle Code.

(b) Any school district furnishing transportation for students under the authority of this Section shall insure against any loss or liability of the district resulting from the maintenance, operation, or use of the vehicle.

(c) Vehicles used to transport students under this Section may claim a depreciation allowance of 20% over 5 years as provided in Section 29-5 of this Code. (Source: P.A. 96-410, eff. 7-1-10; 97-896, eff. 8-3-12.)