



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4391

by Rep. Michael P. McAuliffe

SYNOPSIS AS INTRODUCED:

625 ILCS 5/13C-45
625 ILCS 5/13C-45.5 new

Amends the Illinois Vehicle Code. Provides that the Environmental Protection Agency may not enter into new contracts or renew any contract previously made with one or more responsible parties to construct and operate official inspection stations, provide and maintain approved test equipment, administer tests, certify results, issue emission inspection stickers or certificates, maintain records, train personnel, provide information to the public concerning the program, or otherwise. Provides that any facility that performs maintenance or repair work on motor vehicles as a routine part of its business may apply to the Agency for certification as an official inspection station. Provides that the Agency shall authorize as an official inspection station any applicant that meets specific criteria.

LRB100 18271 LNS 33474 b

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 1. Legislative intent. The purpose of this
5 amendatory Act of the 100th General Assembly is to decentralize
6 emissions testing in this State in order to reduce the
7 financial burden on taxpayers. In 2013, over 107,000 vehicles
8 were tested in an emissions testing program at a cost of \$30
9 million. Currently, the emissions program is conducted by a
10 private contractor. It is not the intent of the General
11 Assembly to interfere with any current contract, but it is the
12 intent of the General Assembly to prohibit the Illinois
13 Environmental Protection Agency from entering into a new
14 contract or renewing a previous contract that would bind the
15 State to a single private contractor for the purpose of
16 expending State funds for emissions testing. It is the intent
17 of the General Assembly to use competition to reduce the
18 financial impact of the emissions testing program upon the
19 expiration of any current contract.

20 Section 5. The Illinois Vehicle Code is amended by changing
21 Section 13C-45 and by adding Section 13C-45.5 as follows:

22 (625 ILCS 5/13C-45)

1 Sec. 13C-45. Contracts.

2 (a) The Agency may enter into contracts with one or more
3 responsible parties to construct and operate official
4 inspection stations, provide and maintain approved test
5 equipment, administer tests, certify results, issue emission
6 inspection stickers or certificates, maintain records, train
7 personnel, provide information to the public concerning the
8 program, or to otherwise further the goals of this Chapter.

9 (b) In preparing its proposals for bidding by potential
10 contractors, the Agency shall endeavor to include provisions
11 relating to the following factors:

12 (1) The demonstrated financial responsibility of the
13 potential contractor.

14 (2) The specialized experience and technical
15 competence of the potential contractor in connection with
16 the type of services required and the complexity of the
17 project.

18 (3) The potential contractor's past record of
19 performance on contracts with the Agency, with other
20 government agencies or public bodies, and with private
21 industry, including such items as cost, quality of work,
22 and ability to meet schedules.

23 (4) The capacity of the potential contractor to perform
24 the work within the time limitations.

25 (5) The familiarity of the potential contractor with
26 the types of problems applicable to the project.

1 (6) The potential contractor's proposed method to
2 accomplish the work required, including where appropriate
3 any demonstrated capability of exploring and developing
4 innovative or advanced techniques and methods.

5 (7) Avoidance of personal and organizational conflicts
6 of interest prohibited under federal, State, or local law.

7 (8) The potential contractor's present and prior
8 involvement in the community and in the State of Illinois.

9 (c) On and after the effective date of this amendatory Act
10 of the 100th General Assembly, the Agency may not enter into
11 new contracts under this Section and may not renew any contract
12 previously made under this Section.

13 (d) This Section is repealed on July 1, 2023.

14 (Source: P.A. 94-526, eff. 1-1-06.)

15 (625 ILCS 5/13C-45.5 new)

16 Sec. 13C-45.5. Inspection station qualifications.

17 (a) Any facility that performs maintenance or repair work
18 on motor vehicles as a routine part of its business may apply
19 to the Agency for certification as an official inspection
20 station. The Agency shall authorize as an official inspection
21 station any applicant that meets the following criteria:

22 (1) employs inspectors that have been certified by the
23 Agency after successfully completing a course of training
24 and successfully passing a written test;

25 (2) requires all inspections done at its facility to be

1 performed by the inspectors certified under paragraph (1)
2 of this subsection (a); and

3 (3) uses equipment for its inspections that has been
4 approved by the Agency for inspections.

5 (b) The Agency shall adopt rules governing applications to
6 qualify as an official inspection station, including, but not
7 limited to, any applicable fees.

8 (c) Nothing in this Section shall be construed to prevent
9 the Agency from operating its own official inspection stations.