



Sen. Dale A. Righter

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1 AMENDMENT TO SENATE BILL 1735

2 AMENDMENT NO. _____. Amend Senate Bill 1735, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Department of Transportation Law of the
6 Civil Administrative Code of Illinois is amended by changing
7 Section 2705-215 as follows:

8 (20 ILCS 2705/2705-215) (was 20 ILCS 2705/49.27)

9 Sec. 2705-215. Cooperative utilization of equipment and
10 services of governmental entities and not-for-profit
11 organizations for the transportation needs in public service
12 programs.

13 (a) The Department is directed to encourage and assist
14 governmental entities, not-for-profit corporations, and
15 nonprofit community service associations, between or among
16 themselves, in the development of reasonable utilization of

1 transportation equipment and operational service in satisfying
2 the general and specialized public transportation needs.

3 The Department shall develop and encourage cooperative
4 development, among all entities, of programs promoting
5 efficient service and conservation of capital investment and
6 energy and shall assist all entities in achieving their goals
7 and in their applications for transportation grants under
8 appropriate State or federal programs.

9 (b) Implementation of cooperative programs is to be
10 developed within the meaning of the provisions of the
11 Intergovernmental Cooperation Act. In the circumstances of
12 nongovernmental entities, the Department shall be guided by
13 that Act and any other State law in encouraging the cooperative
14 programs between those entities.

15 (c) The Department shall report to the members of the
16 General Assembly, by March 1 of each year, its successes,
17 failures and progress in achieving the intent of this Section.
18 The report shall also include identification of problems as
19 well as the Department's recommendations.

20 (d) The General Assembly finds as follows:

21 (i) Federal regulation 23 CFR 637 requires
22 contractors, consultants, local agencies, and Department
23 personnel performing materials acceptance sampling and
24 testing on Federal-aid projects on the National Highway
25 System be qualified.

26 (ii) The Illinois Department of Transportation offers

1 Quality Control/Quality Assurance courses and specific
2 task training programs in order to meet the educational
3 requirements for qualified personnel.

4 (iii) All personnel who successfully complete the
5 required Quality Control/Quality Assurance courses or the
6 specific task training programs and have been entered into
7 departmental databases are considered qualified.

8 (iv) The laws of this State do not require that all
9 Quality Control/Quality Assurance courses be completed at
10 Illinois Department of Transportation facilities. Proper
11 training, however, is an integral component to the success
12 of the Quality Control/Quality Assurance program.

13 (v) Due to inherent differences in administering local
14 projects, and due to the administrative burdens that are
15 imposed when enforcing quality standards, a proper system
16 of training is necessary to ensure laboratories remain
17 qualified to adequately teach and train contractors,
18 consultants, local agencies, and Department personnel at
19 these facilities.

20 (vi) Only a minimal number of facilities meet these
21 standards and are able to competently teach and train
22 qualified sampling and testing personnel.

23 In order to ensure that only competent training is
24 available, it is the intent of the General Assembly to limit
25 the certification of apprenticeship programs to those that meet
26 minimal standards and that are able to competently teach and

1 train. It is also the intent of the General Assembly to require
2 that all training managers satisfy Quality Control/Quality
3 Assurance standards, and that all training facilities and
4 apprenticeship programs in this State conform to the safety
5 standards imposed by the laws and regulations of this State and
6 the laws and regulations of the federal government.

7 The Department shall certify an apprenticeship program as
8 able to teach and train its own members for any quality
9 assurance and quality control certifications issued by the
10 Department if the apprenticeship program meets the following
11 requirements:

12 (1) the program is a United States Department of Labor
13 apprenticeship program conducted by a joint labor
14 management board that is regulated under the Labor
15 Management Relations Act, 29 U.S.C. 141 et seq.; and

16 (2) the program is conducted at a training facility
17 that was established prior to January 1, 2008.

18 The Department shall certify the curricula for the quality
19 assurance quality control program and shall make available all
20 course curricula, teaching aids, syllabi, and other materials
21 necessary for instruction of courses described by this
22 subsection (d).

23 The Department may administer any testing or certify a
24 third party to administer and certify any testing, provided
25 that the entity is independent of and not an affiliate of the
26 United States Department of Labor apprenticeship programs

1 identified in this subsection (d).

2 If the Department does not administer the testing, the
3 Department and the apprenticeship program shall mutually agree
4 upon a third party to administer the testing. The third party
5 shall provide testers upon being given 10 days' notice.

6 (Source: P.A. 91-239, eff. 1-1-00.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".