**Section 276.404 Economic Hardship Extension Requirements**

The Agency shall issue a one year emissions compliance certificate to the owner of a vehicle that meets the requirements of subsection (a) of the Section.

a) Requirements

1) When tested, the subject vehicle failed to meet applicable emission standards contained in 35 Ill. Adm. Code 240, except that the economic hardship extension will not be granted if only the applicable fuel cap emissions test standard contained in 35 Ill. Adm. 240 is failed;

2) The registered owner or owners of the subject vehicle certifies that his or her, or their, household income qualifies as "low income" as defined in this Part. In the case of multiple registered owners who are not part of the same household, the registered owners must certify that the sum of each registered owner's household income qualifies as "low income" as defined in Section 276.102 of this Part;

3) The current or former owner of a subject vehicle has not previously received an emissions compliance certificate for economic hardship for the subject vehicle, or, if an emissions compliance certificate for economic hardship has previously been issued, the vehicle passed all required emissions tests prior to issuance of another emissions compliance certificate for economic hardship;

4) The registered owner of the subject vehicle presents either of the following, which shall not include any costs associated with any motor vehicle emission related recall that has been, or is to be, paid by a manufacturer or dealer:

A) A written estimate prepared by a recognized repair technician for emission related vehicle repairs, parts or services, including diagnostic fees, related to the emissions test failure, in the amount of 50 percent or greater of the current waiver repair minimum amount contained in Section 276.401(a)(2) of this Part; or

B) If the registered owner intends to perform the necessary services or repairs, the written estimate shall include only the cost of emission related parts;

5) The registered owner of the vehicle grants authorization to the Agency or its representatives to make legitimate inquiries as necessary, including to all relevant State departments or agencies, including but not limited to the Illinois Secretary of State and the Department of Human Services, to verify ownership and income information.

b) An emissions compliance certificate issued under this Section is not transferable to one or more subsequent owners.

c) An emissions compliance certificate issued under this Section may be revoked by the Agency if the Agency determines that the applicant or applicants made false statements on the economic hardship extension application.

(Source: Amended at 35 Ill. Reg. 11268, effective June 28, 2011)