**Section 650.20 Rights and Responsibilities of DHS-DRS as State Licensing Agency**

DHS-DRS, as State licensing agency, shall:

a) develop policies with the active participation of ICBV, implement policies and procedures, and provide staff, funds, and any Program servicing agreement necessary to carry out its responsibilities under the Randolph-Sheppard Act;

b) coordinate the Program with DHS-DRS vocational rehabilitation program;

c) seek out and make arrangements for the use of suitable sites (based on factors such as space, anticipated income, rent or commissions required, or competition in the vicinity) for the establishment of facilities;

d) provide for expenditures from available State and federal funds, and other allowable resources including set-aside funds, for the acquisition, installation and replacement of equipment and accessories, and the provision of initial stocks of merchandise and supplies for each new facility;

e) determine whether right, title to, and interest in a facility, including equipment and initial stock, may be vested in the vendor per 34 CFR 395.6 (2009). DHS‑DRS shall hold title to equipment and initial stock, however title may be voluntarily assumed by a vendor per 34 CFR 395.6 (2009);

f) ensure the conduct of the Program and the operation of each facility are in accordance with the Randolph-Sheppard Act and 34 CFR 395 (2009);

g) assure conformity with each facility's written permit, agreement, or Memorandum of Understanding (MOU);

h) have responsibility for the selection of trainees; award of licenses; issuance of certifications; assignment of vendors to facilities; discipline of vendors; establishment of a rate and the collection of set-aside; and the utilization and disposition of Program assets;

i) operate unassigned, abandoned, or vacant (due to leaves of absence) facilities and make recommendations for facility closure;

j) provide training to vendors on any new rules and procedures of the program;

k) hire business consultants trained in business practices and sanitation, vending and retail;

l) with building managers, develop contracts or permits for the operation of vending facilities. When appropriate (e.g., a vendor's attendance would be inappropriate when building management requests that a vendor not be present, or when building management will be assessing the vendor's abilities to carry out the permit or contract), involve the assigned vendors in renegotiations of contracts or permits;

m) ensure all Program equipment is maintained in good repair and attractive condition per 34 CFR 395.10 (2009);

n) identify, collect and monitor unassigned federal vending machine revenue, along with the distribution and use of that income;

o) if there is a potential breach of security in an assigned facility, DHS shall correct the breach before the new vendor is inventoried in and DHS may hold the prior vendor responsible for costs associated with the remedy if the vendor does not leave the facility at the level of security required by Section 650.100(r); and

p) provide any materials/notifications required by this Part in an accessible format as requested/required by the vendor.

(Source: Amended at 34 Ill. Reg. 1535, effective January 19, 2010)