**Section 448.90 Certified Safety Tester**

a) The owner of an Official Testing Station must notify the Section in writing when he and/or one or more of his employees wishes to make application to conduct Safety Tests as a Certified Safety Tester. Information furnished should include applicant's full name, date of birth, and driver's license number. Each applicant must be at least 18 years of age and possess a valid driver's license before making application to take the Certified Safety Tester's examination.

b) Each applicant must successfully pass a written test based on these Rules and must demonstrate proficiency in the operation of the safety test equipment at the Station where employed before certification as a Certified Safety Tester. A Certified Safety Tester must test a minimum of 10% of the vehicles safety tested in the Station during a twelve (12) month period or must successfully pass the written and proficiency examinations to maintain his certification.

c) A Certified Safety Tester may be retested and must successfully pass a written test based on these Rules and may be required to demonstrate proficiency in the operation of the test equipment where employed at any time the Section deems necessary.

d) A Certified Safety Tester may be retested and must successfully pass a written test based on these Rules and may be required to demonstrate proficiency in the operation of the test equipment if the lane where he is employed changes equipment.

e) A person who failed any part of the initial examination and desires to reapply must wait a period of 15 days before reapplying. A person who fails a second time must wait a period of 30 days before reapplying. A person may take the test to become a Certified Safety Tester a maximum of three times within a period of 12 months. After three failures, a person is not eligible to take the examination for a period of one year from the date of the last failure.

f) No person shall perform a Safety Test unless he is rated as a Certified Safety Tester by the Section and possesses a valid Certificate issued to him by the Section, which is displayed at the lane where he is employed; no Certified Safety Tester may delegate duties which are required to be performed by a Certified Safety Tester to one who is not a Certified Safety Tester. The Department may issue a Citation/Complaint or Warning Ticket to a lane employee who is not a Certified Safety Tester but who has safety tested vehicles and issued Certificates of Safety in violation of these Rules and/or the Illinois Revised Statutes.

g) The Certified Safety Tester shall perform the safety test applicable to the tested vehicle according to both the Test Procedure and the Test Specifications. The owner or Certified Safety Tester shall not delegate the responsibility to perform a proper and thorough safety test to any other person. The Certified Safety Tester shall know and, upon request of a Department representative, shall demonstrate the procedure for checking, setting, calibrating, operating, and otherwise causing the safety test equipment in the testing station where he is employed to be accurate and effective.

h) The Certified Safety Tester shall have sole physical control of the vehicle to be tested during the entire safety test procedure. The Certified Safety Tester shall perform both the original safety test and retesting of repaired components on a rejected vehicle only within the perimeter lines of the lane (See Section 448.70(d)).

i) The Certified Safety Tester who performed the safety test of a vehicle shall personally affix the Certificate of Safety to the tested vehicle in the location prescribed in these Rules, only if the vehicle tested equals or exceeds all test specifications and Statutory requirements.

j) In those parts of safety test where no specific dimension or standard has been promulgated for vehicle components, the Certified Safety Tester shall use his best judgment as to the reliability of a particular component and its effect upon the safe operation of the vehicle when operated on the streets and highways. (Example: noise level of exhaust system, etc.)

k) The Certified Safety Tester shall not accept any gratuity from any person for or in connection with the Official Safety Test of any vehicle or for or in connection with the issuance or giving of a Certificate of Safety.

l) The Certified Safety Tester shall have the responsibility for entering all safety test results, according to vehicle type, on the Vehicle Inspection Report. The Certified Safety Tester shall prepare an inspection report for each and every vehicle presented for a test. The Certified Safety Tester shall also write his signature in the proper space on the safety report when the test is completed.

m) The Certified Safety Tester's Certificate remains the property of the Section and must be immediately returned to the Section or authorized personnel of the Department if the Certified Safety Tester ceases testing vehicles, ceases to be employed by the Official Testing Station or has his Certificate suspended, cancelled or revoked.

n) The testing privileges granted by the Certified Safety Tester's Certificate shall be subject to cancellation, suspension, or revocation by the Department of any violation by the Certified Safety Tester of the Rules of the IVC, as amended. (See also, Section 13-108, regarding Administrative Hearings.)

o) The written and proficiency exams (See Sections 448.90(b) and (c)) may be required by the Section if a Certified Safety Tester's Certificate has been revoked, suspended, or cancelled, prior to recertification.

p) Only a Certified Safety Tester licensed to test trucks is eligible to take a school bus and/or motor coach examination.

q) If a lane is inoperative for a period of six (6) months or more, all Certified Safety Tester Certificates will be cancelled. All Certified Safety Testers may be required to be retested before the lane can be declared operational.

r) Refusal of a Certified Safety Tester to submit to retesting shall automatically cancel his certification.

s) If a Certified Safety Tester leaves the employ of one Official Testing Station and is subsequently hired by another, the latter employer must request transfer of the Certified Safety Tester's Certification in writing. The Section may require him to pass the written and/or proficiency exams before his certificate is transferred. Both tests shall be administered if the lapse in employment at Official Testing Stations exceeds thirty days or the lane classifications of the two Stations differ.