**Section 460.220 Owner's Responsibilities**

a) The Owner shall require all Certified Diesel Emission Testers (CDET) to comply with this Part.

b) The Owner shall submit Form BIC 1300, Application for Certified Diesel Emissions Tester, to the Department when applying for the Owner or an employee to become a CDET. The application shall include the prospective CDET's:

1) Full name;

2) Date of birth;

3) Photocopy of a State or U.S. Government issued photo-identification card; and

4) A current photo of the applicant. The photo must be a digital JPEG color photo with a white or off-white background, and be at least 54KB, but no larger than 10 MG.

c) The Owner is responsible for the training of employees on the equipment and inspection procedures before the employee is tested by an Inspector to become a CDET.

d) The Owner shall notify the Department as soon as the Owner is aware that neither the Owner nor any of the Owner's employees are eligible to conduct diesel emission inspections, e.g., when a CDET is no longer employed at the OTS or OPETC. Failure to have at least one employee who is certified to conduct diesel emission inspections automatically suspends the diesel emission inspection permit until such time as the Owner or an employee becomes certified to conduct diesel emission inspections.

e) The Owner shall notify the Department as soon as the Owner is aware that the Owner's OTS or OPETC is not eligible to conduct diesel emission inspections, e.g., the OTS or OPETC is closed for vacation. If the OTS or OPETC is not eligible to conduct diesel emission inspections for more than 30 days, an Inspector must approve resumption of the diesel emission inspection program.

f) The Owner is responsible for maintaining the equipment in proper calibration and, if applicable, for maintaining the OTS or OPETC in proper condition as required by 92 Ill. Adm. Code 451.

g) It shall be the Owner's responsibility to cease conducting diesel emission inspections when any piece of that equipment malfunctions.

1) Equipment malfunctions and subsequent closure shall be reported to the Department as soon as the Owner is aware of the malfunction.

2) Diesel emission inspections shall not be resumed until repairs are completed and approval is secured from an Inspector. An Inspector will confirm that the diesel emission inspection equipment is working in accordance with the manufacturer's specifications.

h) It shall be the Owner's responsibility to maintain a quantity of diesel emission inspection supplies to accommodate vehicles presented for original inspection or returned for reinspection. If an OTS or OPETC does not have a quantity of diesel emission inspection supplies to issue to a vehicle returning for a reinspection, the inspection fee shall be refunded to the vehicle owner/operator.

i) The Owner shall be responsible for the proper security and handling of the diesel emission inspection supplies.

j) It shall be the Owner's responsibility to immediately notify the Department of any change in diesel emission inspection equipment.

k) It shall be the Owner's responsibility to provide funds to the Department to cover the cost of validation certificates to perform diesel emission inspections (i.e., one dollar per Certificate), through the electronic payment system established by the Department (i.e., Illinois ePay).

l) The OTS or OPETC shall only charge the authorized fee when issuing a Certificate (i.e., one dollar). The authorized fee for the validation certificate is included in the rates or charges established in Section 460.400.

m) If an Official Testing Station Permit or Official Portable Diesel Emissions Permit is suspended or revoked pursuant to Section 460.240(p), performance of any and all diesel emission inspection activities shall be prohibited for the duration of the suspension or revocation. It shall be the Owner's responsibility to surrender the permit, validation certificates, diesel emission inspection equipment (if applicable), and supplies as requested by an Inspector on the date the suspension begins. The Owner shall be responsible for making certain all employees honor the terms of the suspension or revocation.

n) The CDET's certificate remains the property of the Department and shall be immediately returned to the Department by the Owner if the CDET ceases inspecting vehicles or ceases to be employed by the OTS or OPETC; or if the permit is suspended, or revoked; or if the CDET fails to maintain certification.

o) It shall be the Owner's responsibility to see that all diesel emission inspections are conducted in accordance with this Part.

(Source: Amended at 48 Ill. Reg. 16576, effective October 29, 2024)