**Section 460.510 Diesel Emission Inspection Out-of-Service Order**

a) If a vehicle has not passed a diesel emission reinspection within 30 days after the receipt of a 30-Day Warning Notice or has not obtained a waiver as prescribed in Section 460.600, the Department shall issue an Out-of-Service Order via certified mail to the person(s) or company owning or operating the vehicle in violation of this Part. (See 625 ILCS 5/13-109.1(c))

b) The Out-of-Service Order contains information identifying the owner/operator of the vehicle, information identifying the specific vehicle being placed out-of-service, the reason for the Order, the punishable fine of $1,000 for operating a vehicle that has been declared out-of-service, and a requirement that the vehicle pass a diesel emission reinspection before it may be returned to service. (See 625 ILCS 5/13-109.1(c))

c) The vehicle will remain out-of-service until the vehicle passes a diesel emission reinspection or the vehicle's owner/operator obtains a waiver as prescribed in Section 460.600.

d) The Department, without further notice to the owner/operator of a vehicle placed out-of-service, will also notify the Illinois Secretary of State, within three business days after receiving notice that a vehicle has been placed out-of-service, in writing or by electronic communication, that the vehicle is not in compliance with the provisions of Section 13-109.1 of the Illinois Vehicle Code. The Department will notify the Secretary of State within three business days after being notified that the vehicle passed or was granted a waiver by an OTS or OPETC.

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