**Section 460.600 Diesel Emission Inspection Waiver Requirements for Failing Inspection and Reinspection**

a) A Diesel Emission Inspection Certificate of Waiver for Failing Inspection and Reinspection shall be issued by the Department for a diesel-powered vehicle to its owner/operator who demonstrates that the vehicle meets the applicable waiver requirements of subsection (b) of this Section.

b) A vehicle subject to inspection under this Part that has failed a diesel emission inspection and reinspection shall be eligible for a waiver from meeting the diesel emission requirements of this Part upon proof to the Department of compliance with all of the following:

1) After failing an initial inspection and reinspection, the vehicle has failed to achieve compliance with the applicable vehicle diesel emission inspection standards set forth in this Part.

2) *A minimum expenditure of $3,000 in diesel emission related repairs*, exclusive of tampering-related repairs, *has been made*. [625 ILCS 5/13-109.1]

3) The vehicle has received all repairs and adjustments for which it is eligible under any diesel emission performance warranty provisions.

4) The vehicle owner/operator certifies to the Department that the diesel emission control devices are present and appear to be properly connected and operating.

5) Repairs are conducted by a recognized repair technician, as defined in Section 460.110.

6) Evidence of repair is presented to the Department consisting of signed and dated receipts identifying the vehicle and describing the work performed and amount charged for eligible diesel emission-related repairs.

c) If the Department determines that an applicant for a waiver has not complied with all applicable waiver criteria set forth in subsection (b) of this Section, the waiver request will be denied. The Department will provide to the applicant a written statement via U.S. mail containing the reason for the denial.

d) If the Department determines that an applicant for a waiver has complied with all waiver criteria set forth in subsection (b) of this Section, the waiver shall be issued. The Department shall provide the applicant a Diesel Emission Inspection Certificate of Waiver for Failing Inspection and Reinspection via U.S. mail containing a description of the vehicle, including the manufacturer's vehicle identification number, and the issuance date of the waiver. The Certificate of Waiver must be kept in the vehicle as proof of diesel emission inspection compliance. Certificates of Waiver do not expire.