



Rep. Nick Sauer

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LRB100 09547 AXK 23152 a

1 AMENDMENT TO HOUSE BILL 3172

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3172 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 13-109 as follows:

6 (625 ILCS 5/13-109) (from Ch. 95 1/2, par. 13-109)

7 Sec. 13-109. Safety test prior to application for license -  
8 Subsequent tests - Repairs - Retest.

9 (a) Except as otherwise provided in Chapter 13, each second  
10 division vehicle, first division vehicle including a taxi which  
11 is used for a purpose that requires a school bus driver permit,  
12 and medical transport vehicle, except those vehicles other than  
13 school buses or medical transport vehicles owned or operated by  
14 a municipal corporation or political subdivision having a  
15 population of 1,000,000 or more inhabitants which are subjected  
16 to safety tests imposed by local ordinance or resolution,

1 operated in whole or in part over the highways of this State,  
2 motor vehicle used for driver education training, and each  
3 vehicle designed to carry 15 or fewer passengers operated by a  
4 contract carrier transporting employees in the course of their  
5 employment on a highway of this State, shall be subjected to  
6 the safety test provided for in Chapter 13 of this Code. Tests  
7 shall be conducted at an official testing station within 6  
8 months prior to the application for registration as provided  
9 for in this Code. Subsequently each vehicle shall be subject to  
10 tests (i) at least every 6 months, (ii) in the case of school  
11 buses and first division vehicles including taxis which are  
12 used for a purpose that requires a school bus driver permit, at  
13 least every 6 months or 10,000 miles, whichever occurs first,  
14 ~~or~~ (iii) in the case of driver education vehicles used by  
15 public high schools, at least every 12 months for vehicles over  
16 5 model years of age or having an odometer reading of over  
17 75,000 miles, whichever occurs first, or (iv) in the case of  
18 truck tractors in combination with a semitrailer, at least  
19 every 12 months, and according to schedules established by  
20 rules and regulations promulgated by the Department. Any  
21 component subject to regular inspection which is damaged in a  
22 reportable accident must be reinspected before the bus or first  
23 division vehicle including a taxi which is used for a purpose  
24 that requires a school bus driver permit is returned to  
25 service.

26 (b) The Department shall also conduct periodic

1 nonscheduled inspections of school buses, of buses registered  
2 as charitable vehicles and of religious organization buses. If  
3 such inspection reveals that a vehicle is not in substantial  
4 compliance with the rules promulgated by the Department, the  
5 Department shall remove the Certificate of Safety from the  
6 vehicle, and shall place the vehicle out-of-service. A bright  
7 orange, triangular decal shall be placed on an out-of-service  
8 vehicle where the Certificate of Safety has been removed. The  
9 vehicle must pass a safety test at an official testing station  
10 before it is again placed in service.

11 (c) If the violation is not substantial a bright yellow,  
12 triangular sticker shall be placed next to the Certificate of  
13 Safety at the time the nonscheduled inspection is made. The  
14 Department shall reinspect the vehicle after 3 working days to  
15 determine that the violation has been corrected and remove the  
16 yellow, triangular decal. If the violation is not corrected  
17 within 3 working days, the Department shall place the vehicle  
18 out-of-service in accordance with procedures in subsection  
19 (b).

20 (d) If a violation is not substantial and does not directly  
21 affect the safe operation of the vehicle, the Department shall  
22 issue a warning notice requiring correction of the violation.  
23 Such correction shall be accomplished as soon as practicable  
24 and a report of the correction shall be made to the Department  
25 within 30 days in a manner established by the Department. If  
26 the Department has not been advised that the corrections have

1 been made, and the violations still exist, the Department shall  
2 place the vehicle out-of-service in accordance with procedures  
3 in subsection (b).

4 (e) The Department is authorized to promulgate regulations  
5 to implement its program of nonscheduled inspections. Causing  
6 or allowing the operation of an out-of-service vehicle with  
7 passengers or unauthorized removal of an out-of-service  
8 sticker is a Class 3 felony. Causing or allowing the operation  
9 of a vehicle with a 3-day sticker for longer than 3 days with  
10 the sticker attached or the unauthorized removal of a 3-day  
11 sticker is a Class C misdemeanor.

12 (f) If a second division vehicle, first division vehicle  
13 including a taxi which is used for a purpose that requires a  
14 school bus driver permit, medical transport vehicle, or vehicle  
15 operated by a contract carrier as provided in subsection (a) of  
16 this Section is in safe mechanical condition, as determined  
17 pursuant to Chapter 13, the operator of the official testing  
18 station must at once issue to the second division vehicle,  
19 first division vehicle including a taxi which is used for a  
20 purpose that requires a school bus driver permit, or medical  
21 transport vehicle a certificate of safety, in the form and  
22 manner prescribed by the Department, which shall be affixed to  
23 the vehicle by the certified safety tester who performed the  
24 safety tests. The owner of the second division vehicle, first  
25 division vehicle including a taxi which is used for a purpose  
26 that requires a school bus driver permit, or medical transport

1 vehicle or the contract carrier shall at all times display the  
2 Certificate of Safety on the second division vehicle, first  
3 division vehicle including a taxi which is used for a purpose  
4 that requires a school bus driver permit, medical transport  
5 vehicle, or vehicle operated by a contract carrier in the  
6 manner prescribed by the Department.

7 (g) If a test shows that a second division vehicle, first  
8 division vehicle including a taxi which is used for a purpose  
9 that requires a school bus driver permit, medical transport  
10 vehicle, or vehicle operated by a contract carrier is not in  
11 safe mechanical condition as provided in this Section, it shall  
12 not be operated on the highways until it has been repaired and  
13 submitted to a retest at an official testing station. If the  
14 owner or contract carrier submits the vehicle to a retest at a  
15 different official testing station from that where it failed to  
16 pass the first test, he or she shall present to the operator of  
17 the second station the report of the original test, and shall  
18 notify the Department in writing, giving the name and address  
19 of the original testing station and the defects which prevented  
20 the issuance of a Certificate of Safety, and the name and  
21 address of the second official testing station making the  
22 retest.

23 (Source: P.A. 97-224, eff. 7-28-11; 97-1025, eff. 1-1-13.)".