



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB2080

by Rep. Michael P. McAuliffe

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/13C-45  
625 ILCS 5/13C-45.5 new

Amends the Illinois Vehicle Code. Provides that the Environmental Protection Agency may not enter into new contracts or renew any contract previously made with one or more responsible parties to construct and operate official inspection stations, provide and maintain approved test equipment, administer tests, certify results, issue emission inspection stickers or certificates, maintain records, train personnel, provide information to the public concerning the program, or otherwise. Provides that any facility that performs maintenance or repair work on motor vehicles as a routine part of its business may apply to the Agency for certification as an official inspection station. Provides that the Agency shall authorize as an official inspection station any applicant that meets specific criteria.

LRB101 07715 TAE 52763 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Legislative intent. The purpose of this Act is  
5 to decentralize emissions testing in this State in order to  
6 reduce the financial burden on taxpayers. In 2013, over 107,000  
7 vehicles were tested in an emissions testing program at a cost  
8 of \$30 million. Currently, the emissions program is conducted  
9 by a private contractor. It is not the intent of the General  
10 Assembly to interfere with any current contract, but it is the  
11 intent of the General Assembly to prohibit the Illinois  
12 Environmental Protection Agency from entering into a new  
13 contract or renewing a previous contract that would bind the  
14 State to a single private contractor for the purpose of  
15 expending State funds for emissions testing. It is the intent  
16 of the General Assembly to use competition to reduce the  
17 financial impact of the emissions testing program upon the  
18 expiration of any current contract.

19 Section 5. The Illinois Vehicle Code is amended by changing  
20 Section 13C-45 and by adding Section 13C-45.5 as follows:

21 (625 ILCS 5/13C-45)

22 Sec. 13C-45. Contracts.

1           (a) The Agency may enter into contracts with one or more  
2 responsible parties to construct and operate official  
3 inspection stations, provide and maintain approved test  
4 equipment, administer tests, certify results, issue emission  
5 inspection stickers or certificates, maintain records, train  
6 personnel, provide information to the public concerning the  
7 program, or to otherwise further the goals of this Chapter.

8           (b) In preparing its proposals for bidding by potential  
9 contractors, the Agency shall endeavor to include provisions  
10 relating to the following factors:

11           (1) The demonstrated financial responsibility of the  
12 potential contractor.

13           (2) The specialized experience and technical  
14 competence of the potential contractor in connection with  
15 the type of services required and the complexity of the  
16 project.

17           (3) The potential contractor's past record of  
18 performance on contracts with the Agency, with other  
19 government agencies or public bodies, and with private  
20 industry, including such items as cost, quality of work,  
21 and ability to meet schedules.

22           (4) The capacity of the potential contractor to perform  
23 the work within the time limitations.

24           (5) The familiarity of the potential contractor with  
25 the types of problems applicable to the project.

26           (6) The potential contractor's proposed method to

1 accomplish the work required, including where appropriate  
2 any demonstrated capability of exploring and developing  
3 innovative or advanced techniques and methods.

4 (7) Avoidance of personal and organizational conflicts  
5 of interest prohibited under federal, State, or local law.

6 (8) The potential contractor's present and prior  
7 involvement in the community and in the State of Illinois.

8 (c) On and after the effective date of this amendatory Act  
9 of the 101st General Assembly, the Agency may not enter into  
10 new contracts under this Section and may not renew any contract  
11 previously made under this Section.

12 (d) This Section is repealed on July 1, 2023.

13 (Source: P.A. 94-526, eff. 1-1-06.)

14 (625 ILCS 5/13C-45.5 new)

15 Sec. 13C-45.5. Inspection station qualifications.

16 (a) Any facility that performs maintenance or repair work  
17 on motor vehicles as a routine part of its business may apply  
18 to the Agency for certification as an official inspection  
19 station. The Agency shall authorize as an official inspection  
20 station any applicant that meets the following criteria:

21 (1) employs inspectors that have been certified by the  
22 Agency after successfully completing a course of training  
23 and successfully passing a written test;

24 (2) requires all inspections done at its facility to be  
25 performed by the inspectors certified under paragraph (1)

1       of this subsection (a); and  
2           (3) uses equipment for its inspections that has been  
3       approved by the Agency for inspections.  
4       (b) The Agency shall adopt rules governing applications to  
5       qualify as an official inspection station, including, but not  
6       limited to, any applicable fees.  
7       (c) Nothing in this Section shall be construed to prevent  
8       the Agency from operating its own official inspection stations.