



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3018

Introduced 2/19/2021, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

620 ILCS 15/1	from Ch. 15 1/2, par. 187
620 ILCS 15/7.5 new	
625 ILCS 5/1-177.2 new	
625 ILCS 5/3-102	from Ch. 95 1/2, par. 3-102
625 ILCS 5/3-405.35 new	
625 ILCS 5/3-412	from Ch. 95 1/2, par. 3-412
625 ILCS 5/3-413	from Ch. 95 1/2, par. 3-413
625 ILCS 5/11-201.5 new	
625 ILCS 5/13-101	from Ch. 95 1/2, par. 13-101
625 ILCS 5/13C-15	

Amends the Aircraft Landing and Taking Off Restriction Act. Defines "roadable aircraft". Provides that roadable aircraft shall be required to take off and land from a suitable airstrip and shall be prohibited from taking off and landing from any public roadway, unless under conditions of an emergency. Amends the Illinois Vehicle Code. Defines "roadable aircraft" as any aircraft capable of taking off and landing from a suitable airfield that is also designed to be driven on public roadways as a conveyance. Provides that a roadable aircraft shall be considered a motor vehicle while in operation on the roadways of the State. Exempts roadable aircraft from certificate of title requirements. Provides that roadable aircraft shall be identified using the federally issued tail number and may, but shall not be required to, display an additional license plate. Provides that roadable aircraft shall be issued one annual registration sticker and provides for the display of the registration sticker. Exempts roadable aircraft from motor vehicle inspection requirements.

LRB102 16070 RAM 21442 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 5. The Aircraft Landing and Taking Off Restriction
5 Act is amended by changing Section 1 and by adding Section 7.5
6 as follows:

7 (620 ILCS 15/1) (from Ch. 15 1/2, par. 187)

8 Sec. 1. For the purposes of this Act, the term:

9 (a) "public airport" means any airport owned or operated
10 by the State of Illinois, or by any municipal corporation or
11 political subdivision of this state, which is used or intended
12 for use by public, commercial and private aircraft and by
13 persons owning, managing, operating or desiring to use,
14 inspect or repair any such aircraft or to use any such airport
15 for aeronautical purposes.

16 (b) "individual charged with the responsibility of
17 grounding aircraft" means a person who is regularly in the
18 employ of a public airport in a managerial or operational
19 position who has been specifically authorized by the governing
20 body of the municipality which owns or operates the public
21 airport to exercise the powers conferred by this Act.

22 (c) "roadable aircraft" means any aircraft capable of
23 taking off and landing from a suitable airfield which is also

1 designed to be driven on public roadways as a conveyance.

2 (Source: Laws 1957, p. 1294)

3 (620 ILCS 15/7.5 new)

4 Sec. 7.5. Roadable aircraft. All roadable aircraft shall
5 be required to take off and land from a suitable airstrip and
6 shall be prohibited from taking off and landing from any
7 public roadway unless under conditions of an emergency. All
8 roadable aircraft shall be considered motor vehicles while in
9 operation on the roadways of the State. The operation of
10 roadable aircraft shall be subject to restrictions placed upon
11 the use of public roadways by rules adopted by the Department
12 of Transportation.

13 Section 10. The Illinois Vehicle Code is amended by
14 changing Sections 3-102, 3-412, 3-413, 13-101, and 13C-15 and
15 by adding Sections 1-177.2, 3-405.35, and 11-201.5 as follows:

16 (625 ILCS 5/1-177.2 new)

17 Sec. 1-177.2. Roadable aircraft. Any aircraft capable of
18 taking off and landing from a suitable airfield that is also
19 designed to be driven on public roadways as a conveyance.

20 (625 ILCS 5/3-102) (from Ch. 95 1/2, par. 3-102)

21 Sec. 3-102. Exclusions. No certificate of title need be
22 obtained for:

1 1. a vehicle owned by the State of Illinois; or a
2 vehicle owned by the United States unless it is registered
3 in this State;

4 2. a vehicle owned by a manufacturer or dealer and
5 held for sale, even though incidentally moved on the
6 highway or used for purposes of testing or demonstration,
7 provided a dealer reassignment area is still available on
8 the manufacturer's certificate of origin or the Illinois
9 title; or a vehicle used by a manufacturer solely for
10 testing;

11 3. a vehicle owned by a non-resident of this State and
12 not required by law to be registered in this State;

13 4. a motor vehicle regularly engaged in the interstate
14 transportation of persons or property for which a
15 currently effective certificate of title has been issued
16 in another State;

17 5. a vehicle moved solely by animal power;

18 6. an implement of husbandry;

19 7. special mobile equipment;

20 8. an apportionable trailer or an apportionable
21 semitrailer registered in the State prior to April 1,
22 1998;

23 9. a manufactured home for which an affidavit of
24 affixation has been recorded pursuant to the Conveyance
25 and Encumbrance of Manufactured Homes as Real Property and
26 Severance Act unless with respect to the same manufactured

1 home there has been recorded an affidavit of severance
2 pursuant to that Act; ~~or-~~

3 10. a roadable aircraft as defined in Section 1-777.2.

4 (Source: P.A. 98-749, eff. 7-16-14; 99-78, eff. 7-20-15.)

5 (625 ILCS 5/3-405.35 new)

6 Sec. 3-405.35. Application for roadable aircraft.

7 (a) Upon receipt of an application for registration of a
8 roadable aircraft and payment of applicable fees, the
9 Secretary of State shall issue a certificate of registration
10 to the owner of a roadable aircraft if the application is
11 accompanied by the following:

12 (i) proof of valid and unexpired aircraft registration
13 issued by the Department; and

14 (ii) a copy of an annual aircraft inspection completed
15 within the 12 calendar months immediately preceding the
16 date of application.

17 (b) Roadable aircraft shall be identified using a
18 federally issued tail number and shall not be required to
19 display an additional license plate or decal. The Secretary of
20 State shall issue a motorcycle-sized license plate to each
21 roadable aircraft owner with a license plate number matching
22 the federally issued tail number but the display of the
23 license plate shall be at the discretion of the roadable
24 aircraft owner.

25 (c) The expiration date of a certificate issued pursuant

1 to this Section shall match the expiration of the aircraft
2 registration issued by the Department.

3 (d) The fees for registration of roadable aircraft shall
4 be comprised of the following:

5 (1) the fee prescribed by Section 42 of the Illinois
6 Aeronautics Act, payable to the Department under that Act;
7 and

8 (2) for original issuance, \$15, which shall be
9 deposited into the Secretary of State Special License
10 Plate Fund; or

11 (3) for each registration renewal period, \$2, which
12 shall be deposited into the Secretary of State Special
13 License Plate Fund.

14 (625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

15 Sec. 3-412. Registration plates or digital registration
16 plates and registration stickers or digital registration
17 stickers to be furnished by the Secretary of State.

18 (a) The Secretary of State upon registering a vehicle
19 subject to annual registration for the first time shall issue
20 or shall cause to be issued to the owner one registration plate
21 or digital registration plate for a motorcycle, trailer,
22 semitrailer, moped, autocycle, or truck-tractor, 2
23 registration plates, or a digital registration plate and metal
24 plate as set forth in Section 3-401.5, for other motor
25 vehicles and, where applicable, current registration stickers

1 or digital registration stickers for motor vehicles of the
2 first division. The provisions of this Section may be made
3 applicable to such vehicles of the second division, as the
4 Secretary of State may, from time to time, in his discretion
5 designate. On subsequent annual registrations during the term
6 of the registration plate or digital registration plate as
7 provided in Section 3-414.1, the Secretary shall issue or
8 cause to be issued registration stickers or digital
9 registration stickers as evidence of current registration.
10 However, the issuance of annual registration stickers or
11 digital registration stickers to vehicles registered under the
12 provisions of Sections 3-402.1 and 3-405.3 of this Code may
13 not be required if the Secretary deems the issuance
14 unnecessary.

15 (b) Every registration plate or digital registration plate
16 shall have displayed upon it the registration number assigned
17 to the vehicle for which it is issued, the name of this State,
18 which may be abbreviated, the year number for which it was
19 issued, which may be abbreviated, the phrase "Land of Lincoln"
20 (except as otherwise provided in this Code), and such other
21 letters or numbers as the Secretary may prescribe. However,
22 for apportionment plates issued to vehicles registered under
23 Section 3-402.1 and fleet plates issued to vehicles registered
24 under Section 3-405.3, the phrase "Land of Lincoln" may be
25 omitted to allow for the word "apportioned", the word "fleet",
26 or other similar language to be displayed. Registration plates

1 or digital registration plates issued to a vehicle registered
2 as a fleet vehicle may display a designation determined by the
3 Secretary.

4 The Secretary may in his discretion prescribe that letters
5 be used as prefixes only on registration plates or digital
6 registration plates issued to vehicles of the first division
7 which are registered under this Code and only as suffixes on
8 registration plates or digital registration plates issued to
9 other vehicles. Every registration sticker or digital
10 registration sticker issued as evidence of current
11 registration shall designate the year number for which it is
12 issued and such other letters or numbers as the Secretary may
13 prescribe and shall be of a contrasting color with the
14 registration plates or digital registration plates and
15 registration stickers or digital registration stickers of the
16 previous year.

17 (c) Each registration plate or digital registration plate
18 and the required letters and numerals thereon, except the year
19 number for which issued, shall be of sufficient size to be
20 plainly readable from a distance of 100 feet during daylight,
21 and shall be coated with reflectorizing material. The
22 dimensions of the plate issued to vehicles of the first
23 division shall be 6 by 12 inches.

24 (d) The Secretary of State shall issue for every passenger
25 motor vehicle rented without a driver the same type of
26 registration plates or digital registration plates as the type

1 of plates issued for a private passenger vehicle.

2 (e) The Secretary of State shall issue for every passenger
3 car used as a taxicab or livery, distinctive registration
4 plates or digital registration plates.

5 (f) The Secretary of State shall issue for every
6 motorcycle distinctive registration plates or digital
7 registration plates distinguishing between motorcycles having
8 150 or more cubic centimeters piston displacement, or having
9 less than 150 cubic centimeter piston displacement.

10 (g) Registration plates or digital registration plates
11 issued to vehicles for-hire may display a designation as
12 determined by the Secretary that such vehicles are for-hire.

13 (h) (Blank).

14 (i) The Secretary of State shall issue for every public
15 and private ambulance registration plates or digital
16 registration plates identifying the vehicle as an ambulance.
17 The Secretary shall forward to the Department of Healthcare
18 and Family Services registration information for the purpose
19 of verification of claims filed with the Department by
20 ambulance owners for payment for services to public assistance
21 recipients.

22 (j) The Secretary of State shall issue for every public
23 and private medical carrier or rescue vehicle livery
24 registration plates or digital registration plates displaying
25 numbers within ranges of numbers reserved respectively for
26 medical carriers and rescue vehicles. The Secretary shall

1 forward to the Department of Healthcare and Family Services
2 registration information for the purpose of verification of
3 claims filed with the Department by owners of medical carriers
4 or rescue vehicles for payment for services to public
5 assistance recipients.

6 (k) The Secretary of State shall issue distinctive license
7 plates or digital registration plates or distinctive license
8 plate stickers or digital registration stickers for every
9 vehicle exempted from subsections (a) and (a-5) of Section
10 12-503 by subsection (g) of that Section, and by subsection
11 (g-5) of that Section before its deletion by this amendatory
12 Act of the 95th General Assembly. The Secretary shall issue
13 these plates or stickers immediately upon receiving the
14 physician's certification required under subsection (g) of
15 Section 12-503. New plates or stickers shall also be issued
16 when the certification is renewed as provided in that
17 subsection.

18 (l) The Secretary of State shall issue distinctive
19 registration plates or digital registration plates for
20 low-speed vehicles.

21 (m) The Secretary of State shall issue distinctive
22 registration plates or digital registration plates for
23 autocycles. The dimensions of the plate issued to autocycles
24 shall be 4 by 7 inches.

25 (n) The Secretary of State shall issue distinctive
26 registration plates or digital registration plates for

1 roadable aircraft. The dimensions of the plate issued to
2 autocycles shall be 4 by 7 inches. The Secretary shall issue
3 one annual registration sticker to the owner of a roadable
4 aircraft.

5 (Source: P.A. 101-395, eff. 8-16-19.)

6 (625 ILCS 5/3-413) (from Ch. 95 1/2, par. 3-413)

7 Sec. 3-413. Display of registration plates or digital
8 registration plates, registration stickers or digital
9 registration stickers, and drive-away permits; registration
10 plate or digital registration plate covers.

11 (a) Registration plates or digital registration plates
12 issued for a motor vehicle other than a motorcycle, autocycle,
13 trailer, semitrailer, truck-tractor, apportioned bus, or
14 apportioned truck shall be attached thereto, one in the front
15 and one in the rear. The registration plate or digital
16 registration plate issued for a motorcycle, autocycle, trailer
17 or semitrailer required to be registered hereunder and any
18 apportionment plate issued to a bus under the provisions of
19 this Code shall be attached to the rear thereof. The
20 registration plate or digital registration plate issued for a
21 truck-tractor or an apportioned truck required to be
22 registered hereunder shall be attached to the front thereof.

23 (b) Except for vehicles with rear loaded motorized
24 forklifts, every registration plate or digital registration
25 plate shall at all times be securely fastened in a horizontal

1 position to the vehicle for which it is issued so as to prevent
2 the plate from swinging and at a height of not less than 5
3 inches from the ground, measuring from the bottom of such
4 plate, in a place and position to be clearly visible and shall
5 be maintained in a condition to be clearly legible, free from
6 any materials that would obstruct the visibility of the plate.
7 A registration plate or digital registration plate on a
8 motorcycle may be mounted vertically as long as it is
9 otherwise clearly visible. Registration stickers or digital
10 registration stickers issued as evidence of renewed annual
11 registration shall be attached to registration plates or
12 displayed on digital registration plates as required by the
13 Secretary of State, and be clearly visible at all times. For
14 those vehicles with rear loaded motorized forklifts, if the
15 rear plate is securely fastened in a horizontal position as
16 prescribed, the plate and registration sticker shall not be
17 required to be clearly visible at all times as a result of the
18 rear mounted motorized forklift obstructing the view.

19 (b-5) Notwithstanding subsection (b), the display of the
20 registration plate for a roadable aircraft is within the
21 discretion of the owner of the roadable aircraft. The
22 registration sticker for the roadable aircraft shall be
23 affixed to the left tail section of the roadable aircraft in a
24 visible area.

25 (c) Every drive-away permit issued pursuant to this Code
26 shall be firmly attached to the motor vehicle in the manner

1 prescribed by the Secretary of State. If a drive-away permit
2 is affixed to a motor vehicle in any other manner the permit
3 shall be void and of no effect.

4 (d) The Illinois prorated decal issued to a foreign
5 registered vehicle part of a fleet prorated or apportioned
6 with Illinois, shall be displayed on a registration plate or
7 digital registration plate and displayed on the front of such
8 vehicle in the same manner as an Illinois registration plate
9 or digital registration plate.

10 (e) The registration plate or digital registration plate
11 issued for a camper body mounted on a truck displaying
12 registration plates or digital registration plates shall be
13 attached to the rear of the camper body.

14 (f) No person shall operate a vehicle, nor permit the
15 operation of a vehicle, upon which is displayed an Illinois
16 registration plate or plates or digital registration plate or
17 plates or registration stickers or digital registration
18 stickers, except as provided for in subsection (b) of Section
19 3-701 of this Code, after the termination of the registration
20 period for which issued or after the expiration date set
21 pursuant to Sections 3-414 and 3-414.1 of this Code.

22 (g) A person may not operate any motor vehicle that is
23 equipped with registration plate or digital registration plate
24 covers. A violation of this subsection (g) or a similar
25 provision of a local ordinance is an offense against laws and
26 ordinances regulating the movement of traffic.

1 (h) A person may not sell or offer for sale a registration
2 plate or digital registration plate cover. A violation of this
3 subsection (h) is a business offense.

4 (i) A person may not advertise for the purpose of
5 promoting the sale of registration plate or digital
6 registration plate covers. A violation of this subsection (i)
7 is a business offense.

8 (j) A person may not modify the original manufacturer's
9 mounting location of the rear registration plate or digital
10 registration plate on any vehicle so as to conceal the
11 registration or to knowingly cause it to be obstructed in an
12 effort to hinder a peace officer from obtaining the
13 registration for the enforcement of a violation of this Code,
14 Section 27.1 of the Toll Highway Act concerning toll evasion,
15 or any municipal ordinance. Modifications prohibited by this
16 subsection (j) include but are not limited to the use of an
17 electronic device. A violation of this subsection (j) is a
18 Class A misdemeanor.

19 (Source: P.A. 101-395, eff. 8-16-19.)

20 (625 ILCS 5/11-201.5 new)

21 Sec. 11-201.5. Roadable aircraft. A roadable aircraft
22 shall be considered a motor vehicle while in operation on the
23 roadways of this State. The operation of a roadable aircraft
24 shall be subject to restrictions placed upon the use of public
25 roadways by rules adopted by the Department of Transportation.

1 (625 ILCS 5/13-101) (from Ch. 95 1/2, par. 13-101)

2 Sec. 13-101. Submission to safety test; certificate of
3 safety. To promote the safety of the general public, every
4 owner of a second division vehicle, medical transport vehicle,
5 tow truck, first division vehicle including a taxi which is
6 used for a purpose that requires a school bus driver permit,
7 motor vehicle used for driver education training, or contract
8 carrier transporting employees in the course of their
9 employment on a highway of this State in a vehicle designed to
10 carry 15 or fewer passengers shall, before operating the
11 vehicle upon the highways of Illinois, submit it to a "safety
12 test" and secure a certificate of safety furnished by the
13 Department as set forth in Section 13-109. Each second
14 division motor vehicle that pulls or draws a trailer,
15 semitrailer or pole trailer, with a gross weight of 10,001 lbs
16 or more or is registered for a gross weight of 10,001 lbs or
17 more, motor bus, religious organization bus, school bus,
18 senior citizen transportation vehicle, and limousine shall be
19 subject to inspection by the Department and the Department is
20 authorized to establish rules and regulations for the
21 implementation of such inspections.

22 The owners of each salvage vehicle shall submit it to a
23 "safety test" and secure a certificate of safety furnished by
24 the Department prior to its salvage vehicle inspection
25 pursuant to Section 3-308 of this Code. In implementing and

1 enforcing the provisions of this Section, the Department and
2 other authorized State agencies shall do so in a manner that is
3 not inconsistent with any applicable federal law or regulation
4 so that no federal funding or support is jeopardized by the
5 enactment or application of these provisions.

6 However, none of the provisions of Chapter 13 requiring
7 safety tests or a certificate of safety shall apply to:

8 (a) farm tractors, machinery and implements, wagons,
9 wagon-trailers or like farm vehicles used primarily in
10 agricultural pursuits;

11 (b) vehicles other than school buses, tow trucks and
12 medical transport vehicles owned or operated by a
13 municipal corporation or political subdivision having a
14 population of 1,000,000 or more inhabitants and which are
15 subject to safety tests imposed by local ordinance or
16 resolution;

17 (c) a semitrailer or trailer having a gross weight of
18 5,000 pounds or less including vehicle weight and maximum
19 load;

20 (d) recreational vehicles;

21 (e) vehicles registered as and displaying Illinois
22 antique vehicle plates and vehicles registered as
23 expanded-use antique vehicles and displaying expanded-use
24 antique vehicle plates;

25 (f) house trailers equipped and used for living
26 quarters;

1 (g) vehicles registered as and displaying Illinois
2 permanently mounted equipment plates or similar vehicles
3 eligible therefor but registered as governmental vehicles
4 provided that if said vehicle is reclassified from a
5 permanently mounted equipment plate so as to lose the
6 exemption of not requiring a certificate of safety, such
7 vehicle must be safety tested within 30 days of the
8 reclassification;

9 (h) vehicles owned or operated by a manufacturer,
10 dealer or transporter displaying a special plate or plates
11 as described in Chapter 3 of this Code while such vehicle
12 is being delivered from the manufacturing or assembly
13 plant directly to the purchasing dealership or
14 distributor, or being temporarily road driven for quality
15 control testing, or from one dealer or distributor to
16 another, or are being moved by the most direct route from
17 one location to another for the purpose of installing
18 special bodies or equipment, or driven for purposes of
19 demonstration by a prospective buyer with the dealer or
20 his agent present in the cab of the vehicle during the
21 demonstration;

22 (i) pole trailers and auxiliary axles;

23 (j) special mobile equipment;

24 (k) vehicles properly registered in another State
25 pursuant to law and displaying a valid registration plate
26 or digital registration plate, except vehicles of contract

1 carriers transporting employees in the course of their
2 employment on a highway of this State in a vehicle
3 designed to carry 15 or fewer passengers are only exempted
4 to the extent that the safety testing requirements
5 applicable to such vehicles in the state of registration
6 are no less stringent than the safety testing requirements
7 applicable to contract carriers that are lawfully
8 registered in Illinois;

9 (l) water-well boring apparatuses or rigs;

10 (m) any vehicle which is owned and operated by the
11 federal government and externally displays evidence of
12 such ownership; ~~and~~

13 (n) second division vehicles registered for a gross
14 weight of 10,000 pounds or less, except when such second
15 division motor vehicles pull or draw a trailer,
16 semi-trailer or pole trailer having a gross weight of or
17 registered for a gross weight of more than 10,000 pounds;
18 motor buses; religious organization buses; school buses;
19 senior citizen transportation vehicles; medical transport
20 vehicles; tow trucks; and any property carrying vehicles
21 being operated in commerce that are registered for a gross
22 weight of more than 8,000 lbs but less than 10,001 lbs;
23 and-

24 (o) roadable aircraft.

25 The safety test shall include the testing and inspection
26 of brakes, lights, horns, reflectors, rear vision mirrors,

1 mufflers, safety chains, windshields and windshield wipers,
2 warning flags and flares, frame, axle, cab and body, or cab or
3 body, wheels, steering apparatus, and other safety devices and
4 appliances required by this Code and such other safety tests
5 as the Department may by rule or regulation require, for
6 second division vehicles, school buses, medical transport
7 vehicles, tow trucks, first division vehicles including taxis
8 which are used for a purpose that requires a school bus driver
9 permit, motor vehicles used for driver education training,
10 vehicles designed to carry 15 or fewer passengers operated by
11 a contract carrier transporting employees in the course of
12 their employment on a highway of this State, trailers, and
13 semitrailers subject to inspection.

14 For tow trucks, the safety test and inspection shall also
15 include the inspection of winch mountings, body panels, body
16 mounts, wheel lift swivel points, and sling straps, and other
17 tests and inspections the Department by rule requires for tow
18 trucks.

19 For driver education vehicles used by public high schools,
20 the vehicle must also be equipped with dual control brakes, a
21 mirror on each side of the vehicle so located as to reflect to
22 the driver a view of the highway for a distance of at least 200
23 feet to the rear, and a sign visible from the front and the
24 rear identifying the vehicle as a driver education car.

25 For trucks, truck tractors, trailers, semi-trailers,
26 buses, and first division vehicles including taxis which are

1 used for a purpose that requires a school bus driver permit,
2 the safety test shall be conducted in accordance with the
3 Minimum Periodic Inspection Standards promulgated by the
4 Federal Highway Administration of the U.S. Department of
5 Transportation and contained in Appendix G to Subchapter B of
6 Chapter III of Title 49 of the Code of Federal Regulations.
7 Those standards, as now in effect, are made a part of this
8 Code, in the same manner as though they were set out in full in
9 this Code.

10 The passing of the safety test shall not be a bar at any
11 time to prosecution for operating a second division vehicle,
12 medical transport vehicle, motor vehicle used for driver
13 education training, or vehicle designed to carry 15 or fewer
14 passengers operated by a contract carrier as provided in this
15 Section that is unsafe, as determined by the standards
16 prescribed in this Code.

17 (Source: P.A. 100-956, eff. 1-1-19; 101-395, eff. 8-16-19.)

18 (625 ILCS 5/13C-15)

19 Sec. 13C-15. Inspections.

20 (a) Computer-Matched Inspections and Notification.

21 (1) The provisions of this subsection (a) are
22 operative until the implementation of the registration
23 denial inspection and notification mechanisms required by
24 subsection (b). Beginning with the implementation of the
25 program required by this Chapter, every motor vehicle that

1 is owned by a resident of an affected county, other than a
2 vehicle that is exempt under paragraph (a)(6) or (a)(7),
3 is subject to inspection under the program.

4 The Agency shall send notice of the assigned
5 inspection month, at least 15 days before the beginning of
6 the assigned month, to the owner of each vehicle subject
7 to the program. An initial emission inspection sticker or
8 initial inspection certificate, as the case may be,
9 expires on the last day of the third month following the
10 month assigned by the Agency for the first inspection of
11 the vehicle. A renewal inspection sticker or certificate
12 expires on the last day of the third month following the
13 month assigned for inspection in the year in which the
14 vehicle's next inspection is required.

15 The Agency or its agent may issue an interim emission
16 inspection sticker or certificate for any vehicle subject
17 to inspection that does not have a currently valid
18 emission inspection sticker or certificate at the time the
19 Agency is notified by the Secretary of State of its
20 registration by a new owner, and for which an initial
21 emission inspection sticker or certificate has already
22 been issued. An interim emission inspection sticker or
23 certificate expires no later than the last day of the
24 sixth complete calendar month after the date the Agency
25 issued the interim emission inspection sticker or
26 certificate.

1 The owner of each vehicle subject to inspection shall
2 obtain an emission inspection sticker or certificate for
3 the vehicle in accordance with this paragraph (1). Before
4 the expiration of the emission inspection sticker or
5 certificate, the owner shall have the vehicle inspected
6 and, upon demonstration of compliance, obtain a renewal
7 emission inspection sticker or certificate. A renewal
8 emission inspection sticker or certificate shall not be
9 issued more than 5 months before the expiration date of
10 the previous inspection sticker or certificate.

11 (2) Except as provided in paragraph (a)(3), vehicles
12 shall be inspected every 2 years on a schedule that begins
13 either in the second, fourth, or later calendar year after
14 the vehicle model year. The beginning test schedule shall
15 be set by the Agency and shall be consistent with the
16 State's requirements for emission reductions as determined
17 by the applicable United States Environmental Protection
18 Agency vehicle emissions estimation model and applicable
19 guidance and rules.

20 (3) A vehicle may be inspected at a time outside of its
21 normal 2-year inspection schedule, if (i) the vehicle was
22 acquired by a new owner and (ii) the vehicle was required
23 to be in compliance with this Act at the time the vehicle
24 was acquired by the new owner, but it was not then in
25 compliance.

26 (4) The owner of a vehicle subject to inspection shall

1 have the vehicle inspected and shall obtain and display on
2 the vehicle or carry within the vehicle, in a manner
3 specified by the Agency, a valid unexpired emission
4 inspection sticker or certificate in the manner specified
5 by the Agency. A person who violates this paragraph (4) is
6 guilty of a petty offense, except that a third or
7 subsequent violation within one year of the first
8 violation is a Class C misdemeanor. The fine imposed for a
9 violation of this paragraph (4) shall be not less than \$50
10 if the violation occurred within 60 days following the
11 date by which a new or renewal emission inspection sticker
12 or certificate was required to be obtained for the
13 vehicle, and not less than \$300 if the violation occurred
14 more than 60 days after that date.

15 (5) For a \$20 fee, to be paid into the Vehicle
16 Inspection Fund, the Agency may inspect:

17 (A) A vehicle registered in and subject to the
18 emission inspections requirements of another state.

19 (B) A vehicle presented for inspection on a
20 voluntary basis.

21 Any fees collected under this paragraph (5) shall not
22 offset Motor Fuel Tax Funds normally appropriated for the
23 program.

24 (6) The following vehicles are not subject to
25 inspection:

26 (A) Vehicles not subject to registration under

1 Article IV of Chapter 3 of this Code, other than
2 vehicles owned by the federal government.

3 (B) Motorcycles, motor driven cycles, and
4 motorized pedalcycles.

5 (C) Farm vehicles and implements of husbandry.

6 (D) Implements of warfare owned by the State or
7 federal government.

8 (E) Antique vehicles, expanded-use antique
9 vehicles, custom vehicles, street rods, and vehicles
10 of model year 1967 or before.

11 (F) Vehicles operated exclusively for parade or
12 ceremonial purposes by any veterans, fraternal, or
13 civic organization, organized on a not-for-profit
14 basis.

15 (G) Vehicles for which the Secretary of State,
16 under Section 3-117 of this Code, has issued a Junking
17 Certificate.

18 (H) Diesel powered vehicles and vehicles that are
19 powered exclusively by electricity.

20 (I) Vehicles operated exclusively in organized
21 amateur or professional sporting activities, as
22 defined in Section 3.310 of the Environmental
23 Protection Act.

24 (J) Vehicles registered in, subject to, and in
25 compliance with the emission inspection requirements
26 of another state.

1 (K) Vehicles participating in an OBD continuous
2 monitoring program operated in accordance with
3 procedures adopted by the Agency.

4 (L) Vehicles of model year 1995 or earlier that do
5 not have an expired emissions test sticker or
6 certificate on February 1, 2007.

7 (M) Roadable aircraft.

8 The Agency may issue temporary or permanent exemption
9 stickers or certificates for vehicles temporarily or
10 permanently exempt from inspection under this paragraph
11 (6). An exemption sticker or certificate does not need to
12 be displayed.

13 (7) According to criteria that the Agency may adopt, a
14 motor vehicle may be exempted from the inspection
15 requirements of this Section by the Agency on the basis of
16 an Agency determination that the vehicle is located and
17 primarily used outside of the affected counties or in
18 other jurisdictions where vehicle emission inspections are
19 not required. The Agency may issue an annual exemption
20 sticker or certificate without inspection for any vehicle
21 exempted from inspection under this paragraph (7).

22 (8) Any owner or lessee of a fleet of 15 or more motor
23 vehicles that are subject to inspection under this Section
24 may apply to the Agency for a permit to establish and
25 operate a private official inspection station in
26 accordance with rules adopted by the Agency.

1 (9) Pursuant to Title 40, Section 51.371 of the Code
2 of Federal Regulations, the Agency may establish a program
3 of on-road testing of in-use vehicles through the use of
4 remote sensing devices. In any such program, the Agency
5 shall evaluate the emission performance of 0.5% of the
6 subject fleet or 20,000 vehicles, whichever is less. Under
7 no circumstances shall on-road testing include any sort of
8 roadblock or roadside pullover or cause any type of
9 traffic delay. If, during the course of an on-road
10 inspection, a vehicle is found to exceed the on-road
11 emissions standards established for the model year and
12 type of vehicle, the Agency shall send a notice to the
13 vehicle owner. The notice shall document the occurrence
14 and the results of the on-road exceedance. The notice of a
15 second on-road exceedance shall indicate that the vehicle
16 has been reassigned and is subject to an out-of-cycle
17 follow-up inspection at an official inspection station. In
18 no case shall the Agency send a notice of an on-road
19 exceedance to the owner of a vehicle that was found to
20 exceed the on-road emission standards established for the
21 model year and type of vehicle, if the vehicle is
22 registered outside of the affected counties.

23 (b) Registration Denial Inspection and Notification.

24 (1) No later than January 1, 2008, every motor vehicle
25 that is owned by a resident of an affected county, other
26 than a vehicle that is exempt under paragraph (b)(8) or

1 (b) (9), is subject to inspection under the program.

2 The owner of a vehicle subject to inspection shall
3 have the vehicle inspected and obtain proof of compliance
4 from the Agency in order to obtain or renew a vehicle
5 registration for a subject vehicle.

6 The Secretary of State shall notify the owner of a
7 vehicle subject to inspection of the requirement to have
8 the vehicle tested at least 30 days prior to the beginning
9 of the month in which the vehicle's registration is due to
10 expire. Notwithstanding the preceding, vehicles with
11 permanent registration plates shall be notified at least
12 30 days prior to the month corresponding to the date the
13 vehicle was originally registered. This notification shall
14 clearly state the vehicle's test status, based upon the
15 vehicle type, model year and registration address.

16 The owner of each vehicle subject to inspection shall
17 have the vehicle inspected and, upon demonstration of
18 compliance, obtain an emissions compliance certificate for
19 the vehicle.

20 (2) Except as provided in paragraphs (b) (3), (b) (4),
21 and (b) (5), vehicles shall be inspected every 2 years on a
22 schedule that begins in the fourth calendar year after the
23 vehicle model year. Even model year vehicles shall be
24 inspected and comply in order to renew registrations
25 expiring in even calendar years and odd model year
26 vehicles shall be inspected and comply in order to renew

1 registrations expiring in odd calendar years.

2 (3) A vehicle shall be inspected and comply at a time
3 outside of its normal 2-year inspection schedule if (i)
4 the vehicle was acquired by a new owner and (ii) the
5 vehicle had not been issued a Compliance Certificate
6 within one year of the date of application for the title or
7 registration, or both, for the vehicle.

8 (4) Vehicles with 2-year registrations shall be
9 inspected every 2 years at the time of registration
10 issuance or renewal on a schedule that begins in the
11 fourth year after the vehicle model year.

12 (5) Vehicles with permanent vehicle registration
13 plates shall be inspected every 2 years on a schedule that
14 begins in the fourth calendar year after the vehicle model
15 year in the month corresponding to the date the vehicle
16 was originally registered. Even model year vehicles shall
17 be inspected and comply in even calendar years, and odd
18 model year vehicles shall be inspected and comply in odd
19 calendar years.

20 (6) The Agency and the Secretary of State shall
21 endeavor to ensure a smooth transition from test
22 scheduling from the provisions of subsection (a) to
23 subsection (b). Passing tests and waivers issued prior to
24 the implementation of this subsection (b) may be utilized
25 to establish compliance for a period of one year from the
26 date of the emissions or waiver inspection.

1 (7) For a \$20 fee, to be paid into the Vehicle
2 Inspection Fund, the Agency may inspect:

3 (A) A vehicle registered in and subject to the
4 emissions inspections requirements of another state.

5 (B) A vehicle presented for inspection on a
6 voluntary basis.

7 Any fees collected under this paragraph (7) shall not
8 offset Motor Fuel Tax Funds normally appropriated for the
9 program.

10 (8) The following vehicles are not subject to
11 inspection:

12 (A) Vehicles not subject to registration under
13 Article IV of Chapter 3 of this Code, other than
14 vehicles owned by the federal government.

15 (B) Motorcycles, motor driven cycles, and
16 motorized pedalcycles.

17 (C) Farm vehicles and implements of husbandry.

18 (D) Implements of warfare owned by the State or
19 federal government.

20 (E) Antique vehicles, expanded-use antique
21 vehicles, custom vehicles, street rods, and vehicles
22 of model year 1967 or before.

23 (F) Vehicles operated exclusively for parade or
24 ceremonial purposes by any veterans, fraternal, or
25 civic organization, organized on a not-for-profit
26 basis.

1 (G) Vehicles for which the Secretary of State,
2 under Section 3-117 of this Code, has issued a Junking
3 Certificate.

4 (H) Diesel powered vehicles and vehicles that are
5 powered exclusively by electricity.

6 (I) Vehicles operated exclusively in organized
7 amateur or professional sporting activities, as
8 defined in Section 3.310 of the Environmental
9 Protection Act.

10 (J) Vehicles registered in, subject to, and in
11 compliance with the emission inspection requirements
12 of another state.

13 (K) Vehicles participating in an OBD continuous
14 monitoring program operated in accordance with
15 procedures adopted by the Agency.

16 (L) Vehicles of model year 1995 or earlier that do
17 not have an expired emissions test sticker or
18 certificate on February 1, 2007.

19 (M) Vehicles of model year 2006 or earlier with a
20 manufacturer gross vehicle weight rating between 8,501
21 and 14,000 pounds.

22 (N) Vehicles with a manufacturer gross vehicle
23 weight rating greater than 14,000 pounds.

24 (O) Roadable aircraft.

25 The Agency may issue temporary or permanent exemption
26 certificates for vehicles temporarily or permanently

1 exempt from inspection under this paragraph (8). An
2 exemption sticker or certificate does not need to be
3 displayed.

4 (9) According to criteria that the Agency may adopt, a
5 motor vehicle may be exempted from the inspection
6 requirements of this Section by the Agency on the basis of
7 an Agency determination that the vehicle is located and
8 primarily used outside of the affected counties and in
9 other jurisdictions where vehicle emissions inspections
10 are not required. The Agency may issue an annual exemption
11 certificate without inspection for any vehicle exempted
12 from inspection under this paragraph (9).

13 (10) Any owner or lessee of a fleet of 15 or more motor
14 vehicles that are subject to inspection under this Section
15 may apply to the Agency for a permit to establish and
16 operate a private official inspection station in
17 accordance with rules adopted by the Agency.

18 (11) Pursuant to Title 40, Section 51.371 of the Code
19 of Federal Regulations, the Agency may establish a program
20 of on-road testing of in-use vehicles through the use of
21 remote sensing devices. In any such program, the Agency
22 shall evaluate the emission performance of 0.5% of the
23 subject fleet or 20,000 vehicles, whichever is less. Under
24 no circumstances shall on-road testing include any sort of
25 roadblock or roadside pullover or cause any type of
26 traffic delay. If, during the course of an on-road

1 inspection, a vehicle is found to exceed the on-road
2 emissions standards established for the model year and
3 type of vehicle, the Agency shall send a notice to the
4 vehicle owner. The notice shall document the occurrence
5 and the results of the on-road exceedance. The notice of a
6 second on-road exceedance shall indicate that the vehicle
7 has been reassigned and is subject to an out-of-cycle
8 follow-up inspection at an official inspection station. In
9 no case shall the Agency send a notice of an on-road
10 exceedance to the owner of a vehicle that was found to
11 exceed the on-road emissions standards established for the
12 model year and type of vehicle, if the vehicle is
13 registered outside of the affected counties.

14 (Source: P.A. 97-106, eff. 2-1-12; 97-412, eff. 1-1-12;
15 97-813, eff. 7-13-12.)