



Rep. Dave Vella

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10300HB1198ham001

LRB103 05945 CES 69769 a

1 AMENDMENT TO HOUSE BILL 1198

2 AMENDMENT NO. _____. Amend House Bill 1198 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Public Utilities Act is amended by
5 changing Section 16-128A as follows:

6 (220 ILCS 5/16-128A)

7 Sec. 16-128A. Certification of installers, maintainers, or
8 repairers.

9 (a) Within 18 months of the effective date of this
10 amendatory Act of the 97th General Assembly, the Commission
11 shall adopt rules, including emergency rules, establishing
12 certification requirements ensuring that entities installing
13 distributed generation facilities are in compliance with the
14 requirements of subsection (a) of Section 16-128 of this Act.

15 For purposes of this Section, the phrase "entities
16 installing distributed generation facilities" shall include,

1 but not be limited to, all entities that are exempt from the
2 definition of "alternative retail electric supplier" under
3 item (v) of Section 16-102 of this Act. For purposes of this
4 Section, the phrase "self-installer" means an individual who
5 (i) ~~leases or~~ purchases a cogeneration facility for his or her
6 own personal use and (ii) installs such cogeneration or
7 self-generation facility on his or her own premises without
8 the assistance of any other person.

9 (b) In addition to any authority granted to the Commission
10 under this Act, the Commission is also authorized to: (1)
11 determine which entities are subject to certification under
12 this Section; (2) impose reasonable certification fees and
13 penalties; (3) adopt disciplinary procedures; (4) investigate
14 any and all activities subject to this Section, including
15 violations thereof; (5) adopt procedures to issue or renew, or
16 to refuse to issue or renew, a certification or to revoke,
17 suspend, place on probation, reprimand, or otherwise
18 discipline a certified entity under this Act or take other
19 enforcement action against an entity subject to this Section;
20 and (6) prescribe forms to be issued for the administration
21 and enforcement of this Section.

22 (c) No electric utility shall provide a retail customer
23 with net metering service related to interconnection of that
24 customer's distributed generation facility unless the customer
25 provides the electric utility with (i) a certification that
26 the customer installing the distributed generation facility

1 was a self-installer or (ii) evidence that the distributed
2 generation facility was installed by an entity certified under
3 this Section that is also in good standing with the
4 Commission. For purposes of this subsection, a retail customer
5 includes that customer's employees, officers, and agents. An
6 electric utility shall file a tariff or tariffs with the
7 Commission setting forth the documentation, as specified by
8 Commission rule, that a retail customer must provide to an
9 electric utility. The provisions of this subsection (c) shall
10 apply on or after the effective date of the Commission's rules
11 prescribed pursuant to subsection (a) of this Section.

12 (d) Within 180 days after the effective date of this
13 amendatory Act of the 103rd General Assembly ~~this amendatory~~
14 ~~Act of the 97th General Assembly~~, the Commission shall
15 initiate a rulemaking proceeding to establish certification
16 requirements that shall apply ~~be applicable~~ to persons or
17 entities that install, maintain, or repair electric vehicle
18 charging systems ~~stations~~. The notification and certification
19 requirements of this Section shall only be applicable to
20 individuals or entities that perform work on or within an
21 electric vehicle charging system ~~station, including, but not~~
22 ~~limited to, connection of power to an electric vehicle~~
23 ~~charging station~~.

24 For the purposes of this Section "electric vehicle
25 charging system ~~station~~" means any facility or equipment that
26 is used to charge a battery or other energy storage device of

1 an electric vehicle installed in Illinois, including the
2 electric vehicle supply equipment (EVSE), associated wiring
3 and raceways, electrical service upgrades, and energy
4 management and metering equipment installed in Illinois. A
5 "qualified vehicle charging system" does not include work
6 traditionally performed by other trades, including, but not
7 limited to, the installation, maintenance, or repair of rebar,
8 protective bollards, and signage.

9 As used in this Section, "qualified electrician" means an
10 electrician employed by a licensed, bonded, and insured
11 electrical contractor who has completed training specific to
12 the electric vehicle equipment, electrical construction, and
13 safety through the Electric Vehicle Infrastructure Training
14 Program (EVITP) certification, as required by the National
15 Electric Vehicle Infrastructure (NEVI) program facilitated by
16 the United States Department of Transportation.

17 Rules regulating the installation, maintenance, or repair
18 of electric vehicle charging systems ~~stations~~, in which the
19 Commission may establish separate requirements based upon the
20 characteristics of electric vehicle charging stations, so long
21 as it is in accordance with the requirements of subsection (a)
22 of Section 16-128 and Section 16-128A of this Act, shall:

- 23 (1) establish a certification process to mandate that
24 all electric vehicle charging systems in Illinois are
25 installed, maintained, and repaired by qualified
26 electricians ~~for persons or entities that install,~~

1 ~~maintain, or repair of electric vehicle charging stations;~~

2 (2) require persons or entities that install,
3 maintain, or repair electric vehicle stations to be
4 certified to do business and to be bonded in the State;

5 (3) (blank); ~~ensure that persons or entities that~~
6 ~~install, maintain, or repair electric vehicle charging~~
7 ~~stations have the requisite knowledge, skills, training,~~
8 ~~experience, and competence to perform functions in a safe~~
9 ~~and reliable manner as required under subsection (a) of~~
10 ~~Section 16-128 of this Act;~~

11 (4) impose reasonable certification fees and penalties
12 on persons or entities that install, maintain, or repair
13 of electric vehicle charging stations for noncompliance of
14 the rules adopted under this subsection;

15 (5) (blank); ~~ensure that all persons or entities that~~
16 ~~install, maintain, or repair electric vehicle charging~~
17 ~~stations conform to applicable building and electrical~~
18 ~~codes;~~

19 (6) ensure that all electric vehicle charging stations
20 meet recognized industry standards as the Commission deems
21 appropriate, such as the National Electric Code (NEC) and
22 standards developed or created by the Institute of
23 Electrical and Electronics Engineers (IEEE), the Electric
24 Power Research Institute (EPRI), the Detroit Edison
25 Institute (DTE), the Underwriters Laboratory (UL), the
26 Society of Automotive Engineers (SAE), and the National

1 Institute of Standards and Technology (NIST);

2 (7) (blank); ~~include any additional requirements that~~
3 ~~the Commission deems reasonable to ensure that persons or~~
4 ~~entities that install, maintain, or repair electric~~
5 ~~vehicle charging stations meet adequate training,~~
6 ~~financial, and competency requirements;~~

7 (8) ensure that the obligations required under this
8 Section and subsection (a) of Section 16-128 of this Act
9 are met prior to the interconnection of any electric
10 vehicle charging station;

11 (9) (blank); ~~ensure electric vehicle charging stations~~
12 ~~installed by a self-installer are not used for any~~
13 ~~commercial purpose;~~

14 (10) (blank); ~~establish an inspection procedure for~~
15 ~~the conversion of electric vehicle charging stations~~
16 ~~installed by a self-installer if it is determined that the~~
17 ~~self-installed electric vehicle charging station is being~~
18 ~~used for commercial purposes;~~

19 (11) establish the requirement that all persons or
20 entities that install electric vehicle charging stations
21 shall notify the servicing electric utility in writing of
22 plans to install an electric vehicle charging station and
23 shall notify the servicing electric utility in writing
24 when installation is complete;

25 (12) ensure that all persons or entities that install,
26 maintain, or repair electric vehicle charging stations

1 obtain certificates of insurance in sufficient amounts and
2 coverages that the Commission so determines and, if
3 necessary as determined by the Commission, names the
4 affected public utility as an additional insured; and

5 (13) (blank). ~~identify and determine the training or~~
6 ~~other programs by which persons or entities may obtain the~~
7 ~~requisite training, skills, or experience necessary to~~
8 ~~achieve and maintain compliance with the requirements set~~
9 ~~forth in this subsection and subsection (a) of Section~~
10 ~~16-128 to install, maintain, or repair electric vehicle~~
11 ~~charging stations.~~

12 Within 18 months after the effective date of this
13 amendatory Act of the 103rd General Assembly ~~this amendatory~~
14 ~~Act of the 97th General Assembly~~, the Commission shall adopt
15 rules, and may, if it deems necessary, adopt emergency rules,
16 for the installation, maintenance, or repair of electric
17 vehicle charging stations.

18 All retail customers who own, ~~maintain, or repair~~ an
19 electric vehicle charging station shall provide the servicing
20 electric utility ~~(i) a certification that the customer~~
21 ~~installing the electric vehicle charging station was a~~
22 ~~self-installer or (ii) evidence that the electric vehicle~~
23 ~~charging station was installed by a qualified electrician ~~an~~~~
24 ~~entity certified under this subsection (d) that is also in~~
25 ~~good standing with the Commission.~~ For purposes of this
26 subsection (d), a retail customer includes that retail

1 customer's employees, officers, and agents. A qualified
2 electrician ~~If the electric vehicle charging station was not~~
3 ~~installed by a self-installer, then the person or entity that~~
4 ~~plans to install the electric vehicle charging station shall~~
5 provide notice to the servicing electric utility prior to
6 installation and when installation is complete and provide any
7 other information required by the Commission's rules
8 established under subsection (d) of this Section. An electric
9 utility shall file a tariff or tariffs with the Commission
10 setting forth the documentation, as specified by Commission
11 rule, that a retail customer who owns, uses, or operates, ~~or~~
12 ~~maintains~~ an electric vehicle charging station must provide to
13 an electric utility.

14 For the purposes of this subsection, an electric vehicle
15 charging station shall constitute a distribution facility or
16 equipment as that term is used in subsection (a) of Section
17 16-128 of this Act. ~~The phrase "self-installer" means an~~
18 ~~individual who (i) leases or purchases an electric vehicle~~
19 ~~charging station for his or her own personal use and (ii)~~
20 ~~installs an electric vehicle charging station on his or her~~
21 ~~own premises without the assistance of any other person.~~

22 (e) Fees and penalties collected under this Section shall
23 be deposited into the Public Utility Fund and used to fund the
24 Commission's compliance with the obligations imposed by this
25 Section.

26 (f) The rules established under subsection (d) of this

1 Section shall specify the initial dates for compliance with
2 the rules.

3 (g) Within 18 months of the effective date of this
4 amendatory Act of the 99th General Assembly, the Commission
5 shall adopt rules, including emergency rules, establishing a
6 process for entities installing a new utility-scale solar
7 project to certify compliance with the requirements of this
8 Section. For purposes of this Section, the phrase "entities
9 installing a new utility-scale solar project" shall include,
10 but is not limited to, any entity installing new photovoltaic
11 projects as such terms are defined in subsection (c) of
12 Section 1-75 of the Illinois Power Agency Act.

13 The process shall include an option to complete the
14 certification electronically by completing forms online
15 ~~on-line~~. An entity installing a new utility-scale solar
16 project shall be permitted to complete certification after the
17 subject work has been completed. The Commission shall maintain
18 on its website a list of entities installing new utility-scale
19 solar projects measures that have successfully completed the
20 certification process.

21 (h) In addition to any authority granted to the Commission
22 under this Act, the Commission is also authorized to: (1)
23 determine which entities are subject to certification under
24 subsection (g) of this Section; (2) impose reasonable
25 certification fees and penalties; (3) adopt disciplinary
26 procedures; (4) investigate any and all activities subject to

1 subsection (g) or this subsection (h) of this Section,
2 including violations thereof; (5) adopt procedures to issue or
3 renew, or to refuse to issue or renew, a certification or to
4 revoke, suspend, place on probation, reprimand, or otherwise
5 discipline a certified entity under subsection (g) of this
6 Section or take other enforcement action against an entity
7 subject to subsection (g) or this subsection (h) of this
8 Section; (6) prescribe forms to be issued for the
9 administration and enforcement of subsection (g) and this
10 subsection (h) of this Section; and (7) establish requirements
11 to ensure that entities installing a new photovoltaic project
12 have the requisite knowledge, skills, training, experience,
13 and competence to perform in a safe and reliable manner as
14 required by subsection (a) of Section 16-128 of this Act.

15 (i) The certification of persons or entities that install,
16 maintain, or repair new photovoltaic projects, distributed
17 generation facilities, and electric vehicle charging stations
18 as set forth in this Section is an exclusive power and function
19 of the State. A home rule unit or other units of local
20 government authority may subject persons or entities that
21 install, maintain, or repair new photovoltaic projects,
22 distributed generation facilities, or electric vehicle
23 charging stations as set forth in this Section to any
24 applicable local licensing, siting, and permitting
25 requirements otherwise permitted under law so long as only
26 Commission-certified persons or entities are authorized to

1 install, maintain, or repair new photovoltaic projects,
2 distributed generation facilities, or electric vehicle
3 charging stations. This Section is a limitation under
4 subsection (h) of Section 6 of Article VII of the Illinois
5 Constitution on the exercise by home rule units of powers and
6 functions exclusively exercised by the State.

7 (Source: P.A. 99-906, eff. 6-1-17; 100-16, eff. 6-30-17.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law."