

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 Illinois Vehicle Code is amended by
5 changing Sections 13-101, 13-103, 13-103.1, 13-103.3, 13-106,
6 13-107, 13-108, 13-109, and 13-110 and by adding Sections
7 13-103.4 and 13-105.2 as follows:

8 (625 ILCS 5/13-101) (from Ch. 95 1/2, par. 13-101)

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

1 more, motor bus, religious organization bus, school bus,
2 senior citizen transportation vehicle, and limousine shall be
3 subject to inspection by the Department and the Department is
4 authorized to establish rules and regulations for the
5 implementation of such inspections.

6 The owners of each salvage vehicle shall submit it to a
7 "safety test" and secure a certificate of safety furnished by
8 the Department prior to its salvage vehicle inspection
9 pursuant to Section 3-308 of this Code. In implementing and
10 enforcing the provisions of this Section, the Department and
11 other authorized State agencies shall do so in a manner that is
12 not inconsistent with any applicable federal law or regulation
13 so that no federal funding or support is jeopardized by the
14 enactment or application of these provisions.

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

17 (a) farm tractors, machinery and implements, wagons,
18 wagon-trailers or like farm vehicles used primarily in
19 agricultural pursuits;

20 (b) vehicles other than school buses, tow trucks and
21 medical transport vehicles owned or operated by a
22 municipal corporation or political subdivision having a
23 population of 1,000,000 or more inhabitants and which are
24 subject to safety tests imposed by local ordinance or
25 resolution;

26 (c) a semitrailer or trailer having a gross weight of

1 5,000 pounds or less including vehicle weight and maximum
2 load;

3 (d) recreational vehicles;

4 (e) vehicles registered as and displaying Illinois
5 antique vehicle plates and vehicles registered as
6 expanded-use antique vehicles and displaying expanded-use
7 antique vehicle plates;

8 (f) house trailers equipped and used for living
9 quarters;

10 (g) vehicles registered as and displaying Illinois
11 permanently mounted equipment plates or similar vehicles
12 eligible therefor but registered as governmental vehicles
13 provided that if said vehicle is reclassified from a
14 permanently mounted equipment plate so as to lose the
15 exemption of not requiring a certificate of safety, such
16 vehicle must be safety tested within 30 days of the
17 reclassification;

18 (h) vehicles owned or operated by a manufacturer,
19 dealer or transporter displaying a special plate or plates
20 as described in Chapter 3 of this Code while such vehicle
21 is being delivered from the manufacturing or assembly
22 plant directly to the purchasing dealership or
23 distributor, or being temporarily road driven for quality
24 control testing, or from one dealer or distributor to
25 another, or are being moved by the most direct route from
26 one location to another for the purpose of installing

1 special bodies or equipment, or driven for purposes of
2 demonstration by a prospective buyer with the dealer or
3 his agent present in the cab of the vehicle during the
4 demonstration;

5 (i) pole trailers and auxiliary axles;

6 (j) special mobile equipment;

7 (k) vehicles properly registered in another State
8 pursuant to law and displaying a valid registration plate
9 or digital registration plate, except vehicles of contract
10 carriers transporting employees in the course of their
11 employment on a highway of this State in a vehicle
12 designed to carry 15 or fewer passengers are only exempted
13 to the extent that the safety testing requirements
14 applicable to such vehicles in the state of registration
15 are no less stringent than the safety testing requirements
16 applicable to contract carriers that are lawfully
17 registered in Illinois;

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

19 (m) any vehicle which is owned and operated by the
20 federal government and externally displays evidence of
21 such ownership; and

22 (n) second division vehicles registered for a gross
23 weight of 10,000 pounds or less, except when such second
24 division motor vehicles pull or draw a trailer,
25 semi-trailer or pole trailer having a gross weight of or
26 registered for a gross weight of more than 10,000 pounds;

1 motor buses; religious organization buses; school buses;
2 senior citizen transportation vehicles; medical transport
3 vehicles; tow trucks; and any property carrying vehicles
4 being operated in commerce that are registered for a gross
5 weight of more than 8,000 lbs but less than 10,001 lbs.

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

21 For tow trucks, the safety test and inspection shall also
22 include the inspection of winch mountings, body panels, body
23 mounts, wheel lift swivel points, and sling straps, and other
24 tests and inspections the Department by rule requires for tow
25 trucks.

26 For driver education vehicles used by public high schools,

1 the vehicle must also be equipped with dual control brakes, a
2 mirror on each side of the vehicle so located as to reflect to
3 the driver a view of the highway for a distance of at least 200
4 feet to the rear, and a sign visible from the front and the
5 rear identifying the vehicle as a driver education car.

6 For trucks, truck tractors, trailers, semi-trailers, buses
7 engaged in interstate commerce as defined Section 1-133 of
8 this Code, and first division vehicles including taxis which
9 are used for a purpose that requires a school bus driver
10 permit, the safety test shall be conducted in accordance with
11 the Minimum Periodic Inspection Standards promulgated by the
12 Federal Highway Administration of the U.S. Department of
13 Transportation and contained in Appendix G to Subchapter B of
14 Chapter III of Title 49 of the Code of Federal Regulations.
15 Those standards, as now in effect, are made a part of this
16 Code, in the same manner as though they were set out in full in
17 this Code.

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

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

1 (625 ILCS 5/13-103) (from Ch. 95 1/2, par. 13-103)

2 Sec. 13-103. Official testing stations - Fee - Permit -
3 Bond. Upon the payment of a fee of \$50 ~~\$10~~ and the filing of an
4 application by the proprietor of a company or municipality ~~any~~
5 ~~vehicle service station or public or private garage~~ upon forms
6 furnished by the Department, accompanied by proof of
7 experience, training and ability of the operator of the
8 testing equipment, together with proof of ~~installation of~~
9 approved testing equipment as defined in Section 13-102 and
10 the giving of a bond conditioned upon faithful observance of
11 this Section and of rules and regulations issued by the
12 Department in the amount of \$10,000 ~~\$1,000~~ with security
13 approved by the Department, the Department shall issue a
14 permit to the proprietor of such company or municipality
15 ~~vehicle service station or garage~~ to operate an Official
16 Testing Station. Such permit shall expire 12 months following
17 its issuance, but may be renewed annually by complying with
18 the requirements set forth in this Section and upon the
19 payment of a renewal fee of \$50 ~~\$10~~. Proprietors of official
20 testing stations for which permits have been issued prior to
21 the effective date of this Act may renew such permits for the
22 renewal fee of \$50 ~~\$10~~ on the expiration of each 12 months
23 following issuance of such permits, by complying with the
24 requirements set forth in this Section. However, any city,
25 village or incorporated town shall upon application to the
26 Department and without payment of any fee or filing of any

1 bond, but upon proof of experience, training and ability of
2 the operator of the testing equipment, and proof of ~~the~~
3 ~~installation of~~ approved testing equipment as defined in
4 Section 13-102, be issued a permit to operate such testing
5 station as an Official Testing Station under this Act. The
6 permit so issued shall at all times be displayed in a prominent
7 place in the official ~~vehicle service station, garage or~~
8 ~~municipal~~ testing station which is licensed as an Official
9 Testing Station under this Act. No person or company ~~vehicle~~
10 ~~service station, garage or municipality~~ ~~municipal testing~~
11 ~~station~~ shall in any manner claim or represent himself or
12 itself to be an official testing station unless a permit has
13 been issued to him or it as provided in this Section.

14 Any person or municipality who or which has received a
15 permit under this Section may test his or its own second
16 division vehicles and issue certificates of safety and conduct
17 emission inspections of his or its own second division
18 vehicles in accordance with the requirements of Section
19 13-109.1 with respect to any such second division vehicles
20 owned, operated or controlled by him or it.

21 Each such permit issued by the Department shall state on
22 its face the location of the official testing station to be
23 operated under the permit and safety tests shall be made only
24 at such location. However, the Department may, upon
25 application, authorize a change in the location of the
26 official testing station and the removal of the testing

1 equipment to the new location. Upon approval of such
2 application, the Department shall issue an endorsement which
3 the applicant shall affix to his permit. Such endorsement
4 constitutes authority for the applicant to make such change in
5 location and to remove his testing equipment at the times and
6 to the places stated in the endorsement.

7 (Source: P.A. 91-254, eff. 7-1-00.)

8 (625 ILCS 5/13-103.1) (from Ch. 95 1/2, par. 13-103.1)

9 Sec. 13-103.1. Annual certification of certified safety
10 testers and certified diesel emission testers - Fee - Renewal.
11 Only certified safety testers are authorized to perform safety
12 tests and affix Certificates of Safety to vehicles. The
13 Department shall annually certify those certified safety
14 testers and certified diesel emission testers who have met its
15 requirements. Certified safety ~~Safety~~ testers' and certified
16 diesel emission testers' certificates shall expire 12 months
17 following the date of issue, but may be renewed annually by
18 complying with the requirements as established by the
19 Department.

20 (Source: P.A. 80-606.)

21 (625 ILCS 5/13-103.3)

22 Sec. 13-103.3. Official portable emissions testing
23 company; fee; permit; bond. Upon the payment of a fee of \$50
24 ~~\$10~~ and the filing of an application by the proprietor of any

1 ~~vehicle service~~ company upon forms furnished by the
2 Department, accompanied by proof of experience, training, and
3 ability of the operator of the testing equipment, together
4 with proof of approved testing equipment as defined in Section
5 13-102 and the giving of a bond conditioned upon faithful
6 observance of this Section and of rules adopted by the
7 Department in the amount of \$10,000 ~~\$1,000~~ with security
8 approved by the Department, the Department shall issue a
9 permit to the proprietor of the vehicle service company to
10 operate an official portable emissions testing company. An
11 official portable emissions testing company shall only conduct
12 portable emissions inspections for diesel fleets with 5 or
13 more diesel vehicles required to be inspected under subsection
14 (a) of Section 13-109.1, and only at the fleet owner's place of
15 business. A permit issued under this Section shall expire 12
16 months following its issuance, but may be renewed annually by
17 complying with this Section and upon the payment of a renewal
18 fee of \$50 ~~\$10~~. No person or ~~vehicle service~~ company shall
19 operate as an official portable emissions testing company
20 without having been issued a permit as provided in this
21 Section.

22 A permittee under this Section may test second division
23 vehicles owned, operated, or controlled by the permittee to
24 conduct emission inspections of such vehicles in accordance
25 with Section 13-109.1. ~~A permittee under this Section may~~
26 ~~conduct interstate inspections on interstate carriers in~~

1 ~~accordance with 49 CFR Part 396.~~

2 Each permit issued by the Department shall state on its
3 face the location of the recordkeeping office of the
4 proprietor of the official portable emissions testing company.
5 However, the Department, upon application, may authorize a
6 change in the location of the recordkeeping office. Upon the
7 approval of such an application, the Department shall issue an
8 endorsement to be fixed by the applicant to the permit. Such an
9 endorsement constitutes authority for the applicant to make
10 the change in location.

11 (Source: P.A. 102-566, eff. 1-1-22.)

12 (625 ILCS 5/13-103.4 new)

13 Sec. 13-103.4. Official mobile safety testing company;
14 fee; permit; bond. Upon the payment of a fee of \$50 and the
15 filing of an application by the proprietor of a company or
16 municipality seeking to perform mobile safety inspections upon
17 forms furnished by the Department, accompanied by proof of
18 experience, training, and ability of the operator of the
19 testing equipment, together with proof of approved testing
20 equipment as defined in Section 13-102 and the giving of a bond
21 conditioned upon faithful observance of this Section and rules
22 adopted by the Department in the amount of \$10,000 with
23 security approved by the Department, the Department shall
24 issue a permit to the proprietor to operate an official mobile
25 safety testing company. An official mobile safety testing

1 company must maintain a physical office in this State. The
2 permit shall expire 12 months following its issuance, but may
3 be renewed annually by complying with the requirements set
4 forth in this Section and upon the payment of a renewal fee of
5 \$50. The permit so issued shall at all times be displayed in a
6 prominent place in the official mobile safety testing vehicle
7 as well as at the required physical office of the testing
8 company. No person or official mobile safety testing company
9 shall in any manner claim or represent himself, herself, or
10 itself to be an official mobile safety testing company unless
11 a permit has been issued to the person or company as provided
12 in this Section.

13 Any person or municipality that has received a permit
14 under this Section may test the second division vehicles owned
15 by the person or municipality and issue certificates of safety
16 vehicles owned by the person or municipality in accordance
17 with the requirements of Section 13-109.1 with respect to any
18 such vehicles owned, operated, or controlled by the person or
19 municipality.

20 Each such permit issued by the Department shall state on
21 its face the location of the physical office of the official
22 mobile safety testing company. The physical office shall be
23 the location in which all records are stored and retained.
24 Official mobile safety testing companies shall only perform
25 safety tests of vehicles at the vehicle owner's place of
26 business with a 48-hour advance notice to the Department. The

1 Department may, upon application, authorize a change in the
2 location of the physical office to a new location. Upon the
3 approval of such an application, the Department shall issue an
4 endorsement, which the applicant shall affix to his or her
5 permit. Such an endorsement constitutes authority for the
6 applicant to operate.

7 As used in this Section, "official mobile safety testing
8 company" means a safety testing company permitted to test
9 trucks, truck tractors, trailers, semi-trailers, and buses
10 engaged in interstate commerce as defined Section 1-133 of
11 this Code. The safety test shall be conducted in accordance
12 with the Minimum Periodic Inspection Standards promulgated by
13 the Federal Highway Administration of the United States
14 Department of Transportation and contained in Appendix G to
15 Subchapter B of Chapter III of Title 49 of the Code of Federal
16 Regulations.

17 The Department shall adopt rules to implement this
18 Section.

19 (625 ILCS 5/13-105.2 new)

20 Sec. 13-105.2. Inspection of official mobile safety
21 testing companies. Employees specifically authorized by the
22 Department to conduct inspections shall inspect all official
23 mobile safety testing companies at frequent intervals. Such
24 employees shall have access to all records relating to tests
25 and work done or parts sold as a result of such tests, to

1 ascertain whether the tests are properly, fairly, and honestly
2 made, and may examine the owner of the official mobile safety
3 testing company or any officer or employee thereof under oath.

4 (625 ILCS 5/13-106) (from Ch. 95 1/2, par. 13-106)

5 Sec. 13-106. Rates and charges by official testing
6 stations, official mobile testing companies, and official
7 portable emissions testing companies; schedule to be filed.
8 Every operator of an official testing station or official
9 portable emissions testing company shall file with the
10 Department, in the manner prescribed by the Department, a
11 schedule of all rates and charges made by him for performing
12 the tests provided for in Section 13-101 and Section 13-109.1.
13 Such rate or charge shall include an amount to reimburse the
14 operator of the official testing station or official portable
15 emissions testing company for the purchase from the Department
16 of the certificate of safety required by this chapter, not to
17 exceed that fee paid to the Department by the operator
18 authorized by this chapter. Such rates and charges shall be
19 just and reasonable and the Department upon its own initiative
20 or upon complaint of any person or corporation may require the
21 testing station operator to appear for a hearing and prove
22 that the rates so filed are just and reasonable. A "just and
23 reasonable" rate or charge, for the purposes of this Section,
24 means a rate or charge which is the same, or nearly the same,
25 as the prevailing rate or charge for the same or similar tests

1 made in the community where the station is located. No
2 operator may change this schedule of rates and charges until
3 the proposed changes are filed with and approved by the
4 Department. No license may be issued to any official testing
5 station or official portable emissions testing company unless
6 the applicant has filed with the Department a proposed
7 schedule of rates and charges and unless such rates and
8 charges have been approved by the Department. No operator of
9 an official testing station or official portable emissions
10 testing company shall charge more or less than the rates so
11 filed with and approved by the Department.

12 (Source: P.A. 102-566, eff. 1-1-22.)

13 (625 ILCS 5/13-107) (from Ch. 95 1/2, par. 13-107)

14 Sec. 13-107. Investigation of complaints against official
15 testing stations, official mobile testing companies, and
16 official portable emissions testing companies. The Department
17 shall, upon its own motion, or upon charges made in writing
18 verified under oath, investigate complaints that an official
19 testing station or official portable emissions testing company
20 is willfully falsifying records or tests, either for the
21 purpose of selling parts or services not actually required, or
22 for the purpose of issuing a certificate of safety for a
23 vehicle designed to carry 15 or fewer passengers operated by a
24 contract carrier transporting employees in the course of their
25 employment on a highway of this State, second division

1 vehicle, or medical transport vehicle that is not in safe
2 mechanical condition as determined by the standards of this
3 Chapter in violation of the provisions of this Chapter or of
4 the rules and regulations issued by the Department.

5 The Secretary of Transportation, for the purpose of more
6 effectively carrying out the provisions of Chapter 13, may
7 appoint such a number of inspectors as he may deem necessary.
8 Such inspectors shall inspect and investigate applicants for
9 official testing station or official portable emissions
10 testing company permits and investigate and report violations.
11 With respect to enforcement of the provisions of this Chapter
12 13, such inspectors shall have and may exercise throughout the
13 State all the powers of police officers.

14 The Secretary must authorize to each inspector and to any
15 other employee of the Department exercising the powers of a
16 peace officer a distinct badge that, on its face, (i) clearly
17 states that the badge is authorized by the Department and (ii)
18 contains a unique identifying number. No other badge shall be
19 authorized by the Department. Nothing in this Section
20 prohibits the Secretary from issuing shields or other
21 distinctive identification to employees not exercising the
22 powers of a peace officer if the Secretary determines that a
23 shield or distinctive identification is needed by the employee
24 to carry out his or her responsibilities.

25 (Source: P.A. 102-566, eff. 1-1-22.)

1 (625 ILCS 5/13-108) (from Ch. 95 1/2, par. 13-108)

2 Sec. 13-108. Hearing on complaint against official testing
3 station, official mobile testing company, or official portable
4 emissions testing company; suspension or revocation of permit.
5 If it appears to the Department, either through its own
6 investigation or upon charges verified under oath, that any of
7 the provisions of this Chapter or the rules and regulations of
8 the Department are being violated, the Department shall, after
9 notice to the person, firm, or corporation charged with such
10 violation, conduct a hearing. At least 10 days prior to the
11 date of such hearing the Department shall cause to be served
12 upon the person, firm, or corporation charged with such
13 violation, a copy of such charge or charges by registered mail
14 or by the personal service thereof, together with a notice
15 specifying the time and place of such hearing. At the time and
16 place specified in such notice, the person, firm, or
17 corporation charged with such violation shall be given an
18 opportunity to appear in person or by counsel and to be heard
19 by the Secretary of Transportation or an officer or employee
20 of the Department designated in writing by him to conduct such
21 hearing. If it appears from the hearing that such person,
22 firm, or corporation is guilty of the charge preferred against
23 the person, firm, or corporation, the Secretary of
24 Transportation may order the permit suspended or revoked, and
25 the bond forfeited. Any such revocation or suspension shall
26 not be a bar to subsequent arrest and prosecution for

1 violation of this Chapter.

2 (Source: P.A. 102-566, eff. 1-1-22; 102-813, eff. 5-13-22.)

3 (625 ILCS 5/13-109) (from Ch. 95 1/2, par. 13-109)

4 (Text of Section before amendment by P.A. 102-982)

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

7 (a) Except as otherwise provided in Chapter 13, each
8 second division vehicle, first division vehicle including a
9 taxi which is used for a purpose that requires a school bus
10 driver permit, and medical transport vehicle, except those
11 vehicles other than school buses or medical transport vehicles
12 owned or operated by a municipal corporation or political
13 subdivision having a population of 1,000,000 or more
14 inhabitants which are subjected to safety tests imposed by
15 local ordinance or resolution, operated in whole or in part
16 over the highways of this State, motor vehicle used for driver
17 education training, and each vehicle designed to carry 15 or
18 fewer passengers operated by a contract carrier transporting
19 employees in the course of their employment on a highway of
20 this State, shall be subjected to the safety test provided for
21 in Chapter 13 of this Code. Tests shall be conducted at an
22 official testing station within 6 months prior to the
23 application for registration as provided for in this Code.
24 Subsequently each vehicle shall be subject to tests (i) at
25 least every 6 months, (ii) in the case of school buses and

1 first division vehicles including taxis which are used for a
2 purpose that requires a school bus driver permit, at least
3 every 6 months or 10,000 miles, whichever occurs first, (iii)
4 in the case of driver education vehicles used by public high
5 schools, at least every 12 months for vehicles over 5 model
6 years of age or having an odometer reading of over 75,000
7 miles, whichever occurs first, or (iv) in the case of truck
8 tractors, semitrailers, and property-carrying vehicles
9 registered for a gross weight of more than 10,000 pounds but
10 less than 26,001 pounds, at least every 12 months, and
11 according to schedules established by rules and regulations
12 promulgated by the Department. Any component subject to
13 regular inspection which is damaged in a reportable accident
14 must be reinspected before the bus or first division vehicle
15 including a taxi which is used for a purpose that requires a
16 school bus driver permit is returned to service.

17 (b) The Department shall also conduct periodic
18 nonscheduled inspections of school buses, of buses registered
19 as charitable vehicles and of religious organization buses. If
20 such inspection reveals that a vehicle is not in substantial
21 compliance with the rules promulgated by the Department, the
22 Department shall remove the Certificate of Safety from the
23 vehicle, and shall place the vehicle out-of-service. A bright
24 orange, triangular decal shall be placed on an out-of-service
25 vehicle where the Certificate of Safety has been removed. The
26 vehicle must pass a safety test at an official testing station

1 before it is again placed in service.

2 (c) If the violation is not substantial a bright yellow,
3 triangular sticker shall be placed next to the Certificate of
4 Safety at the time the nonscheduled inspection is made. The
5 Department shall reinspect the vehicle after 3 working days to
6 determine that the violation has been corrected and remove the
7 yellow, triangular decal. If the violation is not corrected
8 within 3 working days, the Department shall place the vehicle
9 out-of-service in accordance with procedures in subsection
10 (b).

11 (d) If a violation is not substantial and does not
12 directly affect the safe operation of the vehicle, the
13 Department shall issue a warning notice requiring correction
14 of the violation. Such correction shall be accomplished as
15 soon as practicable and a report of the correction shall be
16 made to the Department within 30 days in a manner established
17 by the Department. If the Department has not been advised that
18 the corrections have been made, and the violations still
19 exist, the Department shall place the vehicle out-of-service
20 in accordance with procedures in subsection (b).

21 (e) The Department is authorized to promulgate regulations
22 to implement its program of nonscheduled inspections. Causing
23 or allowing the operation of an out-of-service vehicle with
24 passengers or unauthorized removal of an out-of-service
25 sticker is a Class 3 felony. Causing or allowing the operation
26 of a vehicle with a 3-day sticker for longer than 3 days with

1 the sticker attached or the unauthorized removal of a 3-day
2 sticker is a Class C misdemeanor.

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

25 (g) If a test shows that a second division vehicle, first
26 division vehicle including a taxi which is used for a purpose

1 that requires a school bus driver permit, medical transport
2 vehicle, or vehicle operated by a contract carrier is not in
3 safe mechanical condition as provided in this Section, it
4 shall not be operated on the highways until it has been
5 repaired and submitted to a retest at an official testing
6 station. If the owner or contract carrier submits the vehicle
7 to a retest at a different official testing station from that
8 where it failed to pass the first test, he or she shall present
9 to the operator of the second station the report of the
10 original test, and shall notify the Department in writing,
11 giving the name and address of the original testing station
12 and the defects which prevented the issuance of a Certificate
13 of Safety, and the name and address of the second official
14 testing station making the retest.

15 (Source: P.A. 100-160, eff. 1-1-18; 100-683, eff. 1-1-19.)

16 (Text of Section after amendment by P.A. 102-982)

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

19 (a) Except as otherwise provided in Chapter 13, each
20 second division vehicle, first division vehicle including a
21 taxi which is used for a purpose that requires a school bus
22 driver permit, and medical transport vehicle, except those
23 vehicles other than school buses or medical transport vehicles
24 owned or operated by a municipal corporation or political
25 subdivision having a population of 1,000,000 or more

1 inhabitants which are subjected to safety tests imposed by
2 local ordinance or resolution, operated in whole or in part
3 over the highways of this State, motor vehicle used for driver
4 education training, and each vehicle designed to carry 15 or
5 fewer passengers operated by a contract carrier transporting
6 employees in the course of their employment on a highway of
7 this State, shall be subjected to the safety test provided for
8 in Chapter 13 of this Code. Tests shall be conducted at an
9 official testing station or by an official mobile safety
10 testing company within 6 months prior to the application for
11 registration as provided for in this Code. Subsequently each
12 vehicle shall be subject to tests (i) at least every 6 months,
13 (ii) in the case of school buses and first division vehicles
14 including taxis which are used for a purpose that requires a
15 school bus driver permit, at least every 6 months or 10,000
16 miles, whichever occurs first, (iii) in the case of driver
17 education vehicles used by public high schools, at least every
18 12 months for vehicles over 5 model years of age or having an
19 odometer reading of over 75,000 miles, whichever occurs first,
20 or (iv) in the case of truck tractors, semitrailers, and
21 property-carrying vehicles registered for a gross weight of
22 more than 10,000 pounds but less than 26,001 pounds, at least
23 every 12 months, and according to schedules established by
24 rules and regulations promulgated by the Department. Any
25 component subject to regular inspection which is damaged in a
26 reportable crash must be reinspected before the bus or first

1 division vehicle including a taxi which is used for a purpose
2 that requires a school bus driver permit is returned to
3 service.

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

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

25 (d) If a violation is not substantial and does not
26 directly affect the safe operation of the vehicle, the

1 Department shall issue a warning notice requiring correction
2 of the violation. Such correction shall be accomplished as
3 soon as practicable and a report of the correction shall be
4 made to the Department within 30 days in a manner established
5 by the Department. If the Department has not been advised that
6 the corrections have been made, and the violations still
7 exist, the Department shall place the vehicle out-of-service
8 in accordance with procedures in subsection (b).

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

17 (f) If a second division vehicle, first division vehicle
18 including a taxi which is used for a purpose that requires a
19 school bus driver permit, medical transport vehicle, or
20 vehicle operated by a contract carrier as provided in
21 subsection (a) of this Section is in safe mechanical
22 condition, as determined pursuant to Chapter 13, the operator
23 of the official testing station or official mobile safety
24 testing company must at once issue to the second division
25 vehicle, first division vehicle including a taxi which is used
26 for a purpose that requires a school bus driver permit, or

1 medical transport vehicle a certificate of safety, in the form
2 and manner prescribed by the Department, which shall be
3 affixed to the vehicle by the certified safety tester who
4 performed the safety tests. The owner of the second division
5 vehicle, first division vehicle including a taxi which is used
6 for a purpose that requires a school bus driver permit, or
7 medical transport vehicle or the contract carrier shall at all
8 times display the Certificate of Safety on the second division
9 vehicle, first division vehicle including a taxi which is used
10 for a purpose that requires a school bus driver permit,
11 medical transport vehicle, or vehicle operated by a contract
12 carrier in the manner prescribed by the Department.

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

1 original testing station or official mobile safety testing
2 company and the defects which prevented the issuance of a
3 Certificate of Safety, and the name and address of the second
4 official testing station or official mobile safety testing
5 company making the retest.

6 (Source: P.A. 102-982, eff. 7-1-23.)

7 (625 ILCS 5/13-110) (from Ch. 95 1/2, par. 13-110)

8 Sec. 13-110. Certificate of safety. (a) Certificates of
9 Safety shall be in contrasting colors, with a number on the
10 face of the Certificate indicating the month of the next
11 inspection period the vehicle is subject to inspection.
12 Certificates for school buses shall also indicate the mileage
13 at which the school bus shall be subject to inspection if it
14 occurs before the next regular inspection period. The colors
15 of Certificates of Safety shall be prescribed by the
16 Department.

17 (b) Certificates of Safety, which remain the property of
18 the State of Illinois, will be provided to Official Testing
19 Stations and official mobile safety testing companies by the
20 Department at the fee of \$1 each. Certificates of Safety which
21 remain unused at the end of each inspection period will be
22 redeemed for the same amount in a manner prescribed by the
23 Department.

24 (c) Nothing in this Chapter shall be construed as a
25 suggestion or direction to any owner to require him to have any

1 repairs made or any work done by any official testing station
2 or official mobile safety testing company, but all tests must
3 be made at an official testing station to secure the issuance
4 of a certificate of safety, and no certificate of safety
5 issued by any other than an official testing station or
6 official mobile safety testing company shall be deemed a
7 compliance with this Chapter.

8 (Source: P.A. 83-311.)

9 Section 95. No acceleration or delay. Where this Act makes
10 changes in a statute that is represented in this Act by text
11 that is not yet or no longer in effect (for example, a Section
12 represented by multiple versions), the use of that text does
13 not accelerate or delay the taking effect of (i) the changes
14 made by this Act or (ii) provisions derived from any other
15 Public Act.