



Sen. Patrick J. Joyce

Filed: 3/23/2023

10300SB0273sam002

LRB103 26218 MXP 59622 a

1 AMENDMENT TO SENATE BILL 273

2 AMENDMENT NO. _____. Amend Senate Bill 273 by replacing
3 everything after the enacting clause with the following:

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

1 carry 15 or fewer passengers shall, before operating the
2 vehicle upon the highways of Illinois, submit it to a "safety
3 test" and secure a certificate of safety furnished by the
4 Department as set forth in Section 13-109. Each second
5 division motor vehicle that pulls or draws a trailer,
6 semitrailer or pole trailer, with a gross weight of 10,001 lbs
7 or more or is registered for a gross weight of 10,001 lbs or
8 more, motor bus, religious organization bus, school bus,
9 senior citizen transportation vehicle, and limousine shall be
10 subject to inspection by the Department and the Department is
11 authorized to establish rules and regulations for the
12 implementation of such inspections.

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

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

24 (a) farm tractors, machinery and implements, wagons,
25 wagon-trailers or like farm vehicles used primarily in
26 agricultural pursuits;

1 (b) vehicles other than school buses, tow trucks and
2 medical transport vehicles owned or operated by a
3 municipal corporation or political subdivision having a
4 population of 1,000,000 or more inhabitants and which are
5 subject to safety tests imposed by local ordinance or
6 resolution;

7 (c) a semitrailer or trailer having a gross weight of
8 5,000 pounds or less including vehicle weight and maximum
9 load;

10 (d) recreational vehicles;

11 (e) vehicles registered as and displaying Illinois
12 antique vehicle plates and vehicles registered as
13 expanded-use antique vehicles and displaying expanded-use
14 antique vehicle plates;

15 (f) house trailers equipped and used for living
16 quarters;

17 (g) vehicles registered as and displaying Illinois
18 permanently mounted equipment plates or similar vehicles
19 eligible therefor but registered as governmental vehicles
20 provided that if said vehicle is reclassified from a
21 permanently mounted equipment plate so as to lose the
22 exemption of not requiring a certificate of safety, such
23 vehicle must be safety tested within 30 days of the
24 reclassification;

25 (h) vehicles owned or operated by a manufacturer,
26 dealer or transporter displaying a special plate or plates

1 as described in Chapter 3 of this Code while such vehicle
2 is being delivered from the manufacturing or assembly
3 plant directly to the purchasing dealership or
4 distributor, or being temporarily road driven for quality
5 control testing, or from one dealer or distributor to
6 another, or are being moved by the most direct route from
7 one location to another for the purpose of installing
8 special bodies or equipment, or driven for purposes of
9 demonstration by a prospective buyer with the dealer or
10 his agent present in the cab of the vehicle during the
11 demonstration;

12 (i) pole trailers and auxiliary axles;

13 (j) special mobile equipment;

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

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

26 (m) any vehicle which is owned and operated by the

1 federal government and externally displays evidence of
2 such ownership; and

3 (n) second division vehicles registered for a gross
4 weight of 10,000 pounds or less, except when such second
5 division motor vehicles pull or draw a trailer,
6 semi-trailer or pole trailer having a gross weight of or
7 registered for a gross weight of more than 10,000 pounds;
8 motor buses; religious organization buses; school buses;
9 senior citizen transportation vehicles; medical transport
10 vehicles; tow trucks; and any property carrying vehicles
11 being operated in commerce that are registered for a gross
12 weight of more than 8,000 lbs but less than 10,001 lbs.

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

1 semitrailers subject to inspection.

2 For tow trucks, the safety test and inspection shall also
3 include the inspection of winch mountings, body panels, body
4 mounts, wheel lift swivel points, and sling straps, and other
5 tests and inspections the Department by rule requires for tow
6 trucks.

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

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

25 The passing of the safety test shall not be a bar at any
26 time to prosecution for operating a second division vehicle,

1 medical transport vehicle, motor vehicle used for driver
2 education training, or vehicle designed to carry 15 or fewer
3 passengers operated by a contract carrier as provided in this
4 Section that is unsafe, as determined by the standards
5 prescribed in this Code.

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

7 (625 ILCS 5/13-103) (from Ch. 95 1/2, par. 13-103)

8 Sec. 13-103. Official testing stations - Fee - Permit -
9 Bond. Upon the payment of a fee of \$50 ~~\$10~~ and the filing of an
10 application by the proprietor of a company or municipality ~~any~~
11 ~~vehicle service station or public or private garage~~ upon forms
12 furnished by the Department, accompanied by proof of
13 experience, training and ability of the operator of the
14 testing equipment, together with proof of ~~installation of~~
15 approved testing equipment as defined in Section 13-102 and
16 the giving of a bond conditioned upon faithful observance of
17 this Section and of rules and regulations issued by the
18 Department in the amount of \$10,000 ~~\$1,000~~ with security
19 approved by the Department, the Department shall issue a
20 permit to the proprietor of such company or municipality
21 ~~vehicle service station or garage~~ to operate an Official
22 Testing Station. Such permit shall expire 12 months following
23 its issuance, but may be renewed annually by complying with
24 the requirements set forth in this Section and upon the
25 payment of a renewal fee of \$50 ~~\$10~~. Proprietors of official

1 testing stations for which permits have been issued prior to
2 the effective date of this Act may renew such permits for the
3 renewal fee of \$50 ~~\$10~~ on the expiration of each 12 months
4 following issuance of such permits, by complying with the
5 requirements set forth in this Section. However, any city,
6 village or incorporated town shall upon application to the
7 Department and without payment of any fee or filing of any
8 bond, but upon proof of experience, training and ability of
9 the operator of the testing equipment, and proof of ~~the~~
10 ~~installation of~~ approved testing equipment as defined in
11 Section 13-102, be issued a permit to operate such testing
12 station as an Official Testing Station under this Act. The
13 permit so issued shall at all times be displayed in a prominent
14 place in the official ~~vehicle service station, garage or~~
15 ~~municipal~~ testing station which is licensed as an Official
16 Testing Station under this Act. No person or company ~~vehicle~~
17 ~~service station, garage or municipality~~ ~~municipal testing~~
18 ~~station~~ shall in any manner claim or represent himself or
19 itself to be an official testing station unless a permit has
20 been issued to him or it as provided in this Section.

21 Any person or municipality who or which has received a
22 permit under this Section may test his or its own second
23 division vehicles and issue certificates of safety and conduct
24 emission inspections of his or its own second division
25 vehicles in accordance with the requirements of Section
26 13-109.1 with respect to any such second division vehicles

1 owned, operated or controlled by him or it.

2 Each such permit issued by the Department shall state on
3 its face the location of the official testing station to be
4 operated under the permit and safety tests shall be made only
5 at such location. However, the Department may, upon
6 application, authorize a change in the location of the
7 official testing station and the removal of the testing
8 equipment to the new location. Upon approval of such
9 application, the Department shall issue an endorsement which
10 the applicant shall affix to his permit. Such endorsement
11 constitutes authority for the applicant to make such change in
12 location and to remove his testing equipment at the times and
13 to the places stated in the endorsement.

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

15 (625 ILCS 5/13-103.1) (from Ch. 95 1/2, par. 13-103.1)

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

1 Department.

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

3 (625 ILCS 5/13-103.3)

4 Sec. 13-103.3. Official portable emissions testing
5 company; fee; permit; bond. Upon the payment of a fee of \$50
6 ~~\$10~~ and the filing of an application by the proprietor of any
7 ~~vehicle—service~~ company upon forms furnished by the
8 Department, accompanied by proof of experience, training, and
9 ability of the operator of the testing equipment, together
10 with proof of approved testing equipment as defined in Section
11 13-102 and the giving of a bond conditioned upon faithful
12 observance of this Section and of rules adopted by the
13 Department in the amount of \$10,000 ~~\$1,000~~ with security
14 approved by the Department, the Department shall issue a
15 permit to the proprietor of the vehicle service company to
16 operate an official portable emissions testing company. An
17 official portable emissions testing company shall only conduct
18 portable emissions inspections for diesel fleets with 5 or
19 more diesel vehicles required to be inspected under subsection
20 (a) of Section 13-109.1, and only at the fleet owner's place of
21 business. A permit issued under this Section shall expire 12
22 months following its issuance, but may be renewed annually by
23 complying with this Section and upon the payment of a renewal
24 fee of \$50 ~~\$10~~. No person or ~~vehicle—service~~ company shall
25 operate as an official portable emissions testing company

1 without having been issued a permit as provided in this
2 Section.

3 A permittee under this Section may test second division
4 vehicles owned, operated, or controlled by the permittee to
5 conduct emission inspections of such vehicles in accordance
6 with Section 13-109.1. ~~A permittee under this Section may~~
7 ~~conduct interstate inspections on interstate carriers in~~
8 ~~accordance with 49 CFR Part 396.~~

9 Each permit issued by the Department shall state on its
10 face the location of the recordkeeping office of the
11 proprietor of the official portable emissions testing company.
12 However, the Department, upon application, may authorize a
13 change in the location of the recordkeeping office. Upon the
14 approval of such an application, the Department shall issue an
15 endorsement to be fixed by the applicant to the permit. Such an
16 endorsement constitutes authority for the applicant to make
17 the change in location.

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

19 (625 ILCS 5/13-103.4 new)

20 Sec. 13-103.4. Official mobile safety testing company;
21 fee; permit; bond. Upon the payment of a fee of \$50 and the
22 filing of an application by the proprietor of a company or
23 municipality seeking to perform mobile safety inspections upon
24 forms furnished by the Department, accompanied by proof of
25 experience, training, and ability of the operator of the

1 testing equipment, together with proof of approved testing
2 equipment as defined in Section 13-102 and the giving of a bond
3 conditioned upon faithful observance of this Section and rules
4 adopted by the Department in the amount of \$10,000 with
5 security approved by the Department, the Department shall
6 issue a permit to the proprietor to operate an official mobile
7 safety testing company. An official mobile safety testing
8 company must maintain a physical office in this State. The
9 permit shall expire 12 months following its issuance, but may
10 be renewed annually by complying with the requirements set
11 forth in this Section and upon the payment of a renewal fee of
12 \$50. The permit so issued shall at all times be displayed in a
13 prominent place in the official mobile safety testing vehicle
14 as well as at the required physical office of the testing
15 company. No person or official mobile safety testing company
16 shall in any manner claim or represent himself, herself, or
17 itself to be an official mobile safety testing company unless
18 a permit has been issued to the person or company as provided
19 in this Section.

20 Any person or municipality that has received a permit
21 under this Section may test the second division vehicles owned
22 by the person or municipality and issue certificates of safety
23 vehicles owned by the person or municipality in accordance
24 with the requirements of Section 13-109.1 with respect to any
25 such vehicles owned, operated, or controlled by the person or
26 municipality.

1 Each such permit issued by the Department shall state on
2 its face the location of the physical office of the official
3 mobile safety testing company. The physical office shall be
4 the location in which all records are stored and retained.
5 Official mobile safety testing companies shall only perform
6 safety tests of vehicles at the vehicle owner's place of
7 business with a 48-hour advance notice to the Department. The
8 Department may, upon application, authorize a change in the
9 location of the physical office to a new location. Upon the
10 approval of such an application, the Department shall issue an
11 endorsement, which the applicant shall affix to his or her
12 permit. Such an endorsement constitutes authority for the
13 applicant to operate.

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

24 The Department shall adopt rules to implement this
25 Section.

1 (625 ILCS 5/13-105.2 new)

2 Sec. 13-105.2. Inspection of official mobile safety
3 testing companies. Employees specifically authorized by the
4 Department to conduct inspections shall inspect all official
5 mobile safety testing companies at frequent intervals. Such
6 employees shall have access to all records relating to tests
7 and work done or parts sold as a result of such tests, to
8 ascertain whether the tests are properly, fairly, and honestly
9 made, and may examine the owner of the official mobile safety
10 testing company or any officer or employee thereof under oath.

11 (625 ILCS 5/13-106) (from Ch. 95 1/2, par. 13-106)

12 Sec. 13-106. Rates and charges by official testing
13 stations, official mobile testing companies, and official
14 portable emissions testing companies; schedule to be filed.
15 Every operator of an official testing station or official
16 portable emissions testing company shall file with the
17 Department, in the manner prescribed by the Department, a
18 schedule of all rates and charges made by him for performing
19 the tests provided for in Section 13-101 and Section 13-109.1.
20 Such rate or charge shall include an amount to reimburse the
21 operator of the official testing station or official portable
22 emissions testing company for the purchase from the Department
23 of the certificate of safety required by this chapter, not to
24 exceed that fee paid to the Department by the operator
25 authorized by this chapter. Such rates and charges shall be

1 just and reasonable and the Department upon its own initiative
2 or upon complaint of any person or corporation may require the
3 testing station operator to appear for a hearing and prove
4 that the rates so filed are just and reasonable. A "just and
5 reasonable" rate or charge, for the purposes of this Section,
6 means a rate or charge which is the same, or nearly the same,
7 as the prevailing rate or charge for the same or similar tests
8 made in the community where the station is located. No
9 operator may change this schedule of rates and charges until
10 the proposed changes are filed with and approved by the
11 Department. No license may be issued to any official testing
12 station or official portable emissions testing company unless
13 the applicant has filed with the Department a proposed
14 schedule of rates and charges and unless such rates and
15 charges have been approved by the Department. No operator of
16 an official testing station or official portable emissions
17 testing company shall charge more or less than the rates so
18 filed with and approved by the Department.

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

20 (625 ILCS 5/13-107) (from Ch. 95 1/2, par. 13-107)

21 Sec. 13-107. Investigation of complaints against official
22 testing stations, official mobile testing companies, and
23 official portable emissions testing companies. The Department
24 shall, upon its own motion, or upon charges made in writing
25 verified under oath, investigate complaints that an official

1 testing station or official portable emissions testing company
2 is willfully falsifying records or tests, either for the
3 purpose of selling parts or services not actually required, or
4 for the purpose of issuing a certificate of safety for a
5 vehicle designed to carry 15 or fewer passengers operated by a
6 contract carrier transporting employees in the course of their
7 employment on a highway of this State, second division
8 vehicle, or medical transport vehicle that is not in safe
9 mechanical condition as determined by the standards of this
10 Chapter in violation of the provisions of this Chapter or of
11 the rules and regulations issued by the Department.

12 The Secretary of Transportation, for the purpose of more
13 effectively carrying out the provisions of Chapter 13, may
14 appoint such a number of inspectors as he may deem necessary.
15 Such inspectors shall inspect and investigate applicants for
16 official testing station or official portable emissions
17 testing company permits and investigate and report violations.
18 With respect to enforcement of the provisions of this Chapter
19 13, such inspectors shall have and may exercise throughout the
20 State all the powers of police officers.

21 The Secretary must authorize to each inspector and to any
22 other employee of the Department exercising the powers of a
23 peace officer a distinct badge that, on its face, (i) clearly
24 states that the badge is authorized by the Department and (ii)
25 contains a unique identifying number. No other badge shall be
26 authorized by the Department. Nothing in this Section

1 prohibits the Secretary from issuing shields or other
2 distinctive identification to employees not exercising the
3 powers of a peace officer if the Secretary determines that a
4 shield or distinctive identification is needed by the employee
5 to carry out his or her responsibilities.

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

7 (625 ILCS 5/13-108) (from Ch. 95 1/2, par. 13-108)

8 Sec. 13-108. Hearing on complaint against official testing
9 station, official mobile testing company, or official portable
10 emissions testing company; suspension or revocation of permit.
11 If it appears to the Department, either through its own
12 investigation or upon charges verified under oath, that any of
13 the provisions of this Chapter or the rules and regulations of
14 the Department are being violated, the Department shall, after
15 notice to the person, firm, or corporation charged with such
16 violation, conduct a hearing. At least 10 days prior to the
17 date of such hearing the Department shall cause to be served
18 upon the person, firm, or corporation charged with such
19 violation, a copy of such charge or charges by registered mail
20 or by the personal service thereof, together with a notice
21 specifying the time and place of such hearing. At the time and
22 place specified in such notice, the person, firm, or
23 corporation charged with such violation shall be given an
24 opportunity to appear in person or by counsel and to be heard
25 by the Secretary of Transportation or an officer or employee

1 of the Department designated in writing by him to conduct such
2 hearing. If it appears from the hearing that such person,
3 firm, or corporation is guilty of the charge preferred against
4 the person, firm, or corporation, the Secretary of
5 Transportation may order the permit suspended or revoked, and
6 the bond forfeited. Any such revocation or suspension shall
7 not be a bar to subsequent arrest and prosecution for
8 violation of this Chapter.

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

10 (625 ILCS 5/13-109) (from Ch. 95 1/2, par. 13-109)

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

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

14 (a) Except as otherwise provided in Chapter 13, each
15 second division vehicle, first division vehicle including a
16 taxi which is used for a purpose that requires a school bus
17 driver permit, and medical transport vehicle, except those
18 vehicles other than school buses or medical transport vehicles
19 owned or operated by a municipal corporation or political
20 subdivision having a population of 1,000,000 or more
21 inhabitants which are subjected to safety tests imposed by
22 local ordinance or resolution, operated in whole or in part
23 over the highways of this State, motor vehicle used for driver
24 education training, and each vehicle designed to carry 15 or
25 fewer passengers operated by a contract carrier transporting

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

24 (b) The Department shall also conduct periodic
25 nonscheduled inspections of school buses, of buses registered
26 as charitable vehicles and of religious organization buses. If

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

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

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

1 in accordance with procedures in subsection (b).

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

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

1 second division vehicle, first division vehicle including a
2 taxi which is used for a purpose that requires a school bus
3 driver permit, medical transport vehicle, or vehicle operated
4 by a contract carrier in the manner prescribed by the
5 Department.

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

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

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

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

1 (a) Except as otherwise provided in Chapter 13, each
2 second division vehicle, first division vehicle including a
3 taxi which is used for a purpose that requires a school bus
4 driver permit, and medical transport vehicle, except those
5 vehicles other than school buses or medical transport vehicles
6 owned or operated by a municipal corporation or political
7 subdivision having a population of 1,000,000 or more
8 inhabitants which are subjected to safety tests imposed by
9 local ordinance or resolution, operated in whole or in part
10 over the highways of this State, motor vehicle used for driver
11 education training, and each vehicle designed to carry 15 or
12 fewer passengers operated by a contract carrier transporting
13 employees in the course of their employment on a highway of
14 this State, shall be subjected to the safety test provided for
15 in Chapter 13 of this Code. Tests shall be conducted at an
16 official testing station or by an official mobile safety
17 testing company within 6 months prior to the application for
18 registration as provided for in this Code. Subsequently each
19 vehicle shall be subject to tests (i) at least every 6 months,
20 (ii) in the case of school buses and first division vehicles
21 including taxis which are used for a purpose that requires a
22 school bus driver permit, at least every 6 months or 10,000
23 miles, whichever occurs first, (iii) in the case of driver
24 education vehicles used by public high schools, at least every
25 12 months for vehicles over 5 model years of age or having an
26 odometer reading of over 75,000 miles, whichever occurs first,

1 or (iv) in the case of truck tractors, semitrailers, and
2 property-carrying vehicles registered for a gross weight of
3 more than 10,000 pounds but less than 26,001 pounds, at least
4 every 12 months, and according to schedules established by
5 rules and regulations promulgated by the Department. Any
6 component subject to regular inspection which is damaged in a
7 reportable crash must be reinspected before the bus or first
8 division vehicle including a taxi which is used for a purpose
9 that requires a school bus driver permit is returned to
10 service.

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

23 (c) If the violation is not substantial a bright yellow,
24 triangular sticker shall be placed next to the Certificate of
25 Safety at the time the nonscheduled inspection is made. The
26 Department shall reinspect the vehicle after 3 working days to

1 determine that the violation has been corrected and remove the
2 yellow, triangular decal. If the violation is not corrected
3 within 3 working days, the Department shall place the vehicle
4 out-of-service in accordance with procedures in subsection
5 (b).

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

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

24 (f) If a second division vehicle, first division vehicle
25 including a taxi which is used for a purpose that requires a
26 school bus driver permit, medical transport vehicle, or

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

20 (g) If a test shows that a second division vehicle, first
21 division vehicle including a taxi which is used for a purpose
22 that requires a school bus driver permit, medical transport
23 vehicle, or vehicle operated by a contract carrier is not in
24 safe mechanical condition as provided in this Section, it
25 shall not be operated on the highways until it has been
26 repaired and submitted to a retest at an official testing

1 station or official mobile safety testing company. If the
2 owner or contract carrier submits the vehicle to a retest at a
3 different official testing station or official mobile safety
4 testing company from that where it failed to pass the first
5 test, he or she shall present to the operator of the second
6 station the report of the original test, and shall notify the
7 Department in writing, giving the name and address of the
8 original testing station or official mobile safety testing
9 company and the defects which prevented the issuance of a
10 Certificate of Safety, and the name and address of the second
11 official testing station or official mobile safety testing
12 company making the retest.

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

14 (625 ILCS 5/13-110) (from Ch. 95 1/2, par. 13-110)

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

24 (b) Certificates of Safety, which remain the property of
25 the State of Illinois, will be provided to Official Testing

1 Stations and official mobile safety testing companies by the
2 Department at the fee of \$1 each. Certificates of Safety which
3 remain unused at the end of each inspection period will be
4 redeemed for the same amount in a manner prescribed by the
5 Department.

6 (c) Nothing in this Chapter shall be construed as a
7 suggestion or direction to any owner to require him to have any
8 repairs made or any work done by any official testing station
9 or official mobile safety testing company, but all tests must
10 be made at an official testing station to secure the issuance
11 of a certificate of safety, and no certificate of safety
12 issued by any other than an official testing station or
13 official mobile safety testing company shall be deemed a
14 compliance with this Chapter.

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

16 Section 95. No acceleration or delay. Where this Act makes
17 changes in a statute that is represented in this Act by text
18 that is not yet or no longer in effect (for example, a Section
19 represented by multiple versions), the use of that text does
20 not accelerate or delay the taking effect of (i) the changes
21 made by this Act or (ii) provisions derived from any other
22 Public Act."