



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB3652

Introduced 2/28/2007, by Rep. Robert S. Molaro

SYNOPSIS AS INTRODUCED:

625 ILCS 5/13C-25

Amends the Vehicle Emissions Inspection Law of 2005 in the Illinois Vehicle Code. Provides that a vehicle shall be tested for emissions by means of a steady-state idle exhaust gas analysis and an evaporative system integrity test, rather than by means of an on-board diagnostic system test, if the vehicle owner provides a statement, signed by a recognized repair technician, indicating that the vehicle's on-board diagnostic computer is malfunctioning. Effective immediately.

LRB095 11445 DRH 32364 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 13C-25 as follows:

6 (625 ILCS 5/13C-25)

7 Sec. 13C-25. Performance of inspections.

8 (a) Except as provided in subsection (b), the inspection of
9 vehicles required under this Chapter shall be performed only:
10 (i) by inspectors who have been certified by the Agency after
11 successfully completing a course of training and successfully
12 passing a written test; (ii) at official inspection stations,
13 including on-road inspection sites established under this
14 Chapter; and (iii) with equipment that has been approved by the
15 Agency for these inspections.

16 (b) The requirements of subdivisions (a) (i) and (a) (ii) of
17 this Section do not preclude the performance of inspections (1)
18 at self-service official inspection stations, (2) using
19 Agency-approved wireless communication interfaces, and (3)
20 using systems designed to perform remote on-board diagnostic
21 inspections.

22 (c) Except as provided in subsections ~~subsection~~ (d) and
23 (d-5), the inspection shall consist of an on-board diagnostic

1 system test. The owner of the vehicle or the owner's agent
2 shall be entitled to an emission inspection certificate issued
3 by the Agency only if all required tests are passed at the time
4 of the inspection.

5 (d) A steady-state idle exhaust gas analysis and the
6 evaporative system integrity test may be substituted for the
7 on-board diagnostic system test in the following cases:

8 (1) On any heavy duty vehicle with a manufacturer gross
9 vehicle weight rating in excess of 8,500 pounds not
10 equipped at the time of manufacture with an on-board
11 diagnostic system meeting federal OBD-II specifications.

12 (2) On any vehicle for which on-board diagnostic
13 testing is not possible due to the vehicle's originally
14 certified design or its design as modified in accordance
15 with federal law and regulations, and on any vehicle with
16 known on-board diagnostic communications or software
17 problems, as determined by the Agency.

18 (d-5) A steady-state idle exhaust gas analysis and the
19 evaporative system integrity test shall be substituted for the
20 on-board diagnostic system test if the vehicle owner provides a
21 statement, signed by a recognized repair technician,
22 indicating that the vehicle's on-board diagnostic computer is
23 malfunctioning.

24 (e) The exhaust gas analysis shall consist of a test of an
25 exhaust gas sample to determine whether the quantities of
26 exhaust gas pollutants emitted by the vehicle meet the

1 standards set for vehicles of that type under Section 13C-20. A
2 vehicle shall be deemed to have passed this portion of the
3 inspection if the evaluation of the exhaust gas sample
4 indicates that the quantities of exhaust gas pollutants emitted
5 by the vehicle do not exceed the standards set for vehicles of
6 that type under Section 13C-20 or an inspector certifies that
7 the vehicle qualifies for a waiver of the exhaust gas pollutant
8 standards under Section 13C-30.

9 (f) The evaporative system integrity test shall consist of
10 a procedure to determine if leaks exist in all or a portion of
11 the vehicle fuel evaporation emission control system. A vehicle
12 shall be deemed to have passed this test if it meets the
13 criteria that the Board may adopt for an evaporative system
14 integrity test.

15 (g) The on-board diagnostic system test shall consist of
16 accessing the vehicle's on-board computer system, determining
17 the vehicle's readiness status and malfunction indicator lamp
18 status, and retrieving any stored diagnostic codes that may be
19 present. The vehicle shall be deemed to have passed this test
20 if the vehicle readiness status indicates that the vehicle's
21 OBD system has completed all required system and component
22 checks, the malfunction indicator lamp status is appropriate,
23 and the diagnostic codes retrieved do not exceed standards set
24 for vehicles of that type under Section 13C-20.

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

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.