

AN ACT concerning regulation.

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

Section 5. The Private Sewage Disposal Licensing Act is amended by changing Section 5b as follows:

(225 ILCS 225/5b)

Sec. 5b. Licensure required for the maintenance of ~~pumping, hauling, and disposal of wastes from~~ portable toilets and potable handwashing units; cleanliness standards.

(a) The Department shall by rule, establish and issue a separate license, independent of any other license issued under this Act, for the pumping, hauling, and disposal of wastes removed from the sewage disposal systems of portable toilets and portable, potable handwashing units and the cleaning, sanitizing, and maintenance of portable toilets and portable, potable handwashing units to qualified businesses ~~persons~~ responsible for the pumping, hauling, and disposal of wastes removed from the sewage disposal systems of portable toilets and portable, potable handwashing units and the cleaning, sanitizing, and maintenance of portable toilets and portable, potable handwashing units. These rules shall concern, but not be limited to, all of the following areas:

(1) License duration and expiration, renewal,

reinstatement, and inactive status.

(2) All fees relating to initial licensure and renewal.

(3) Licensure application form and process.

(4) Violations and penalties.

(5) Exemptions and waivers.

(6) Ventilation, safety, and security requirements of portable toilet units and the sewage disposal systems of portable toilet units.

(a-5) The Department shall by rule, establish and issue a certificate of registration as a portable sanitation technician for any employee of a business licensed under this Section who engages in the servicing of portable toilets and portable, potable handwashing units and the cleaning, sanitizing, and maintenance of portable toilets and portable, potable handwashing units. Beginning 6 months after the date of the adoption of Department rules implementing the provisions of this amendatory Act of the 95th General Assembly, no person may engage in the servicing of portable toilets in a manner that does not comply with the requirements of this Act and the rules established by the Department under this Act concerning the issuance of a certificate of registration as a portable sanitation technician. Prior to a registrant's initial renewal of his or her certificate of registration, the registrant must complete a certification program approved by the Department.

(b) Beginning 6 months after the date of the adoption of Department rules implementing the provisions of this

amendatory Act of the 95th General Assembly, no person or business may engage in the pumping, hauling, and disposal of wastes removed from the sewage disposal systems of portable toilets and portable, potable handwashing units and the cleaning, sanitizing, and maintenance of portable toilets and portable, potable handwashing units without being licensed or certified under this Section. ~~Beginning 6 months after the date of the adoption of Department rules concerning the establishment and issuance of a license for the pumping, hauling, and disposal of wastes removed from the sewage disposal systems of portable toilets, no person may engage in the pumping, hauling, or disposal of wastes removed from the sewage disposal systems of portable toilets in a manner that does not comply with the requirements of this Act and the rules established by the Department under this Act concerning the pumping, hauling, and disposal of wastes removed from the sewage disposal systems of portable toilets.~~

(c) The Department shall require the successful completion of an examination, prescribed by the Department, prior to licensure. The Department may accept the Portable Sanitation Association International's Health and Safety Certification Program as an acceptable educational and testing program.

(d) The Department shall consider and make any necessary amendments to the private sewage disposal code in relation to a license issued for the pumping, hauling, and disposal of wastes removed from the sewage disposal systems of portable toilets

and portable, potable handwashing units and the cleaning, sanitizing, and maintenance of portable toilets and portable, potable handwashing units.

(e) The Department shall establish and enforce standards of cleanliness for companies that sell, lease, rent, or otherwise maintain portable toilet units and portable, potable handwashing units for commercial purposes, which shall include, but not be limited to, the following requirements:

(1) Each unit shall be thoroughly cleaned at each pumping, including all parts of the unit, which are the urinal, tank, walls, floors, door, and roof.

(2) Soap or anti-bacterial hand cleaner and paper products shall be refilled in each unit at each pumping, if required.

(3) After a unit is cleaned, it shall be inspected to ensure compliance with Department rules concerning the ventilation, safety, and security of the unit.

(4) A company shall designate at least one representative who shall be responsible for ensuring that each unit maintained by the company meets the standards of cleanliness set forth in this subsection (d) and any additional standards established by the Department. ~~Companies that have designated a person to clean units may not designate the same person the responsibility of ensuring unit compliance with the standards of cleanliness.~~

Public Act 095-0701

HB1303 Re-Enrolled

LRB095 04813 RAS 24873 b

(5) Those persons engaging in cleaning units shall wear protective equipment and be trained in proper procedures for sanitation and self-protection.

(Source: P.A. 94-138, eff. 7-7-05.)

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