

AN ACT concerning transportation.

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

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

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

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

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

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

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

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

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

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

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

(d) recreational vehicles;

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

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

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

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

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

(i) pole trailers and auxiliary axles;

(j) special mobile equipment;

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

(l) water-well boring apparatuses or rigs;

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

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

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

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

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

For driver education vehicles used by public high schools,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(625 ILCS 5/13-103.3)

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

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

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

~~accordance with 49 CFR Part 396.~~

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

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

(625 ILCS 5/13-103.4 new)

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

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

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

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

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

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

The Department shall adopt rules to implement this Section.

(625 ILCS 5/13-105.2 new)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

violation of this Chapter.

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

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

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

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

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

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

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

before it is again placed in service.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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