**Section 460.110 Definitions**

As used in this Part:

*"Affected Areas" means the counties of Cook, DuPage, Lake, Kane, McHenry, Will, Madison, St. Clair, and Monroe and the townships of Aux Sable and Goose Lake in Grundy County and the township of Oswego in Kendall County*. [625 ILCS 5/13-100.1]

"Applicant" means any individual owner, partners, authorized agent of a corporation, or lessee applying for a Diesel Emissions Official Testing Station Permit or Official Portable Diesel Emissions Permit.

"Authorized Diesel Emission Inspection Equipment" means those testing and measuring devices that operate to meet or exceed the Society of Automotive Engineers Snap Acceleration Smoke Test Procedure for Heavy Duty Diesel Powered Vehicles, SAE Standard J1667, Rev. Feb. 2018.

*"Authorized emergency vehicle" means emergency vehicles of municipal departments or public service corporations as are designated or authorized by proper State, county, or local authorities; police vehicles; vehicles of the fire department; vehicles of a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code; ambulances; vehicles of the Illinois Department of Corrections; vehicles of the Illinois Department of Juvenile Justice; vehicles of the Illinois Emergency Management Agency; vehicles of the Office of the Illinois State Fire Marshal; mine rescue and explosives emergency response vehicles of the Department of Natural Resources; vehicles of the Illinois Department of Public Health; vehicles of the Illinois State Toll Highway Authority with a gross vehicle weight rating of 9,000 pounds or more and those identified as Highway Emergency Lane Patrol; vehicles of the Illinois Department of Transportation identified as Emergency Traffic Patrol; and vehicles of a municipal or county emergency services and disaster agency, as defined by the Illinois Emergency Management Agency Act.* [625 ILCS 5/1-105]

"Bureau of Investigation and Compliance" or "BIC" means a bureau within the Illinois Department of Transportation's Office of Finance and Administration.

"Certified Diesel Emission Tester (CDET)" means an individual who is employed at an Official Testing Station, or Official Portable Emission Testing Company and who has passed a written exam and who has demonstrated proficiency by operating and calibrating the authorized diesel emission inspection equipment and who has been issued a certificate by the Department.

"Code" means the Illinois Vehicle Code [625 ILCS 5].

"Department" *means the Department of Transportation of the State of Illinois, acting directly or through its authorized agents or officers*. [625 ILCS 5/13-100]

"Diesel Emission Inspection Certificate of Waiver for Failing Inspection and Reinspection" means a certificate issued in accordance with Section 460.600 of this Part to the owner/operator of a vehicle that has failed a diesel emission inspection and reinspection but who has complied with all applicable waiver requirements in accordance with Section 460.600.

"Diesel Emission Inspection Certificate of Waiver for an Ungoverned Vehicle" means a certificate issued in accordance with Section 460.605 to the owner/operator of a vehicle whose motor was manufactured ungoverned but who has complied with all applicable waiver requirements in accordance with Section 460.605.

"Diesel Emission Inspection Report " or "DEIR" means the report (Form BIC 8000) presented to the vehicle owner/operator. If the vehicle passes, the report is validated by the presence of the Validation Certificate that is attached to the report in the form of an adhesive sticker and is required to be present in the cab of the vehicle.

"Diesel Emission Inspection 30-Day Warning Notice" means the DEIR presented to the vehicle owner/operator if the vehicle fails the diesel emission inspection. The vehicle's owner/operator is required to return to an Official Testing Station or Official Portable Emission Testing Company within 30 days for a reinspection.

"Diesel Emission Inspection Equipment" means the equipment required to be used by the Certified Diesel Emission Tester to inspect a diesel-powered vehicle and to submit the results of the inspection to the Department. The equipment includes, but is not limited to, the Department-approved smoke opacimeter, a workstation (i.e., laptop computer), and printer tape.

"Diesel Emission Inspection Supplies" or "Supplies" means all items issued to an Official Testing Station or Official Portable Emission Testing Company by the Department in order to conduct a diesel emission inspection. Items include, but are not limited to, diesel emission inspection reports and validation certificates. All supplies remain the property of the Department.

"Diesel-Powered Vehicle" or "Diesel Vehicle" means a motor vehicle registered for a gross weight of more than 16,000 pounds, powered by an internal combustion, compression ignition, diesel fueled engine.

"Director" means the Director of the Office of Finance and Administration for the Illinois Department of Transportation.

"Emission Control Devices" means those components of a vehicle that were designed and are used to control vehicle exhaust and evaporative system emissions. For purposes of this Part, this term refers to components with which the vehicle was originally equipped or direct replacements.

*"Gross Weight"* *means the weight of a vehicle whether operated singly or in combination without load plus weight of the load thereon*. [625 ILCS 5/1-125]

"Illinois Vehicle Inspection Law (the Law)" means 625 ILCS 5/Ch. 13.

"Inspector" means vehicle compliance inspectors and administrative personnel employed by the Illinois Department of Transportation.

"Manufacturer" (unless otherwise indicated at the point of use) means the person or organization whose name follows "MANUFACTURED BY" or "MFD BY" on the federal certification label.

*"Model Year"* *means the year of manufacture of a vehicle based upon the annual production period of the vehicle as designated by the manufacturer and indicated on the title and registration of the vehicle. If the manufacturer does not designate a production period for the vehicle, then "model year" means the calendar year of manufacture*. [625 ILCS 5/1-144.05]

"Official Portable Diesel Emissions Permit" means evidence issued by the Department granting the Owner named thereon the privilege of serving as an agent of the State of Illinois within the limitations set forth in this Part and Section 13-103.3 of the Law.

"Official Portable Emissions Testing Company" or "OPETC" means a business that meets the requirements of this Part and has been issued an Official Portable Diesel Emissions Permit by the Department to perform portable diesel emissions tests.

"Official Testing Station" or "OTS" means all contiguous real and personal property that houses the equipment and supplies relating to the diesel emission inspection of vehicles. Official Testing Stations are privately-owned businesses that are regulated by the Department. Official Testing Stations are classified as either public or private. Public Stations are open to the public. Private Stations are established by companies for the purpose of inspecting vehicles owned or operated by the company. Private Stations are not open to the public.

"Official Testing Station Permit" means evidence issued by the Department granting the Owner named thereon the privilege of serving as an agent of the State of Illinois within the limitations set forth in this Part and Section 13-103 of the Law.

"Opacity (N)" means the percentage of light transmitted from a source that is prevented from reaching a light detector.

"Opacity Cutpoint Standards" means criteria established in the United States Environmental Protection Agency document "Guidance to States on Smoke Opacity Cutpoints to be used with the SAE J1667 In-Use Smoke Test Procedure". (February 25, 1999) (See Section 460.140 for cutpoint standards.)

*"Out-of-Service Order" means a temporary prohibition against driving a commercial motor vehicle.* [625 ILCS 5/1-154.5]

"Owner" means any individual, partners, authorized agent of a corporation, lessee, or other person in whose name an Official Testing Station Permit, or Official Portable Diesel Emissions Permit, or Official Portable Emission Testing Company Permit has been issued. The Owner is responsible for the lawful operation of the OTS or OPETC diesel emission inspection program.

"Owner/Operator" means the person who presents the diesel-powered vehicle for inspection, commonly referred to as the vehicle's driver.

"Part" means the regulations contained in this document that are located at 92 Ill. Adm. Code 460.

*"Person" means every natural person, firm, copartnership, association or corporation.* [625 ILCS 5/1-159]

"Rate or Charge" means the monetary charge authorized by 625 ILCS 5/13-106 to any person offering a vehicle for a diesel emission inspection pursuant to 625 ILCS 5/13-109.1.

"Recognized Repair Technician" means a person professionally engaged in vehicle repair, employed by a company in operation whose purpose is vehicle repair, or possessing nationally recognized certification for emission related diagnosis and repair.

"Secretary" means the Secretary of the Illinois Department of Transportation.

"Smoke Density (K)" means a fundamental means of quantifying the ability of a smoke plume or smoke containing gas sample to obscure light.

"Smoke Opacimeter" means a type of smokemeter designed to measure the opacity of a plume or sample of smoke by means of a light extinction principle.

"Smokemeter Measurement Zone" means the effective length between the smokemeter light source and the light detector through which exhaust gases pass and interact with the smokemeter light beam.

"Snap-Acceleration Inspection" means the method used to test a diesel-powered vehicle to determine the quality of diesel exhaust fumes being released into the atmosphere.

"Station" means the Official Testing Station.

"Survey" means an examination performed by an Inspector of the perspective or current Official Testing Station or Official Portable Emission Testing Company physical address, diesel emission inspection equipment, and vehicles, if applicable.

"Transmittance (T)" means the fraction of light transmitted from a source that reaches a light detector.

"Validation Certificate" means the decal attached by the CDET to the Diesel Emission Inspection Report after the vehicle passes a diesel emission inspection.

(Source: Amended at 48 Ill. Reg. 16576, effective October 29, 2024)