

1 AN ACT to amend the Illinois Vehicle Code by changing
2 Section 13B-45.

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

5 Section 5. The Illinois Vehicle Code is amended by
6 changing Section 13B-45 as follows:

7 (625 ILCS 5/13B-45)

8 Sec. 13B-45. Contracts.

9 (a) The Agency may enter into contracts with one or more
10 responsible parties to construct and operate official
11 inspection stations, provide and maintain approved test
12 equipment, administer tests, certify results, issue emission
13 inspection stickers or certificates, maintain records, train
14 personnel, or provide information to the public concerning
15 the program.

16 These contracts (i) shall be subject to the Illinois
17 Purchasing Act, (ii) may be for a term of up to 9 years,
18 (iii) shall be in writing, and (iv) shall not take effect
19 until a copy of the contract is filed with the State
20 Comptroller.

21 (b) In preparing its proposals for bidding by potential
22 contractors, the Agency shall endeavor to include provisions
23 relating to the following factors:

24 (1) The demonstrated financial responsibility of
25 the potential contractor.

26 (2) The specialized experience and technical
27 competence of the potential contractor in connection with
28 the type of services required and the complexity of the
29 project.

30 (3) The potential contractor's past record of
31 performance on contracts with the Agency, with other

1 government agencies or public bodies, and with private
2 industry, including such items as cost, quality of work,
3 and ability to meet schedules.

4 (4) The capacity of the potential contractor to
5 perform the work within the time limitations.

6 (5) The familiarity of the potential contractor
7 with the types of problems applicable to the project.

8 (6) The potential contractor's proposed method to
9 accomplish the work required including, where
10 appropriate, any demonstrated capability of exploring and
11 developing innovative or advanced techniques and methods.

12 (7) Avoidance of personal and organizational
13 conflicts of interest prohibited under federal, State, or
14 local law.

15 (8) The potential contractor's present and prior
16 involvement in the community and in the State of
17 Illinois.

18 (c) Any contract for the operation of one or more
19 official inspection stations shall include a provision that
20 the contractor shall not perform emission-related repairs or
21 adjustments to vehicles, other than to the contractor's own
22 vehicles, necessary to enable vehicles to pass Illinois
23 emission inspections.

24 (d) If a vehicle is damaged by or because of the
25 emission inspection, the owner of the vehicle may bring a
26 civil action in the circuit court of the county in which the
27 inspection occurred and may recover from the contractor
28 treble damages, costs, and attorney's fees.

29 (Source: P.A. 88-533.)

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