

**2005 Illinois 625 ILCS 5/ Illinois Vehicle Code.
Chapter 13B - Emission Inspection**

(625 ILCS 5/Ch. 13B heading)
CHAPTER 13B. EMISSION INSPECTION

(625 ILCS 5/13B-1)
Sec. 13B-1. Short title. This Chapter may be cited as the Vehicle Emissions Inspection Law of 1995.
(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-5)
Sec. 13B-5. Definitions. For the purposes of this Chapter:
"Affected counties" means Cook County; DuPage County; Lake County; those parts of Kane County that are not included within any of the following ZIP code areas, as designated by the U.S. Postal Service on the effective date of this amendatory Act of 1994: 60109, 60119, 60135, 60140, 60142, 60144, 60147, 60151, 60152, 60178, 60182, 60511, 60520, 60545, and 60554; those parts of Kendall County that are not included within any of the following ZIP code areas, as designated by the U.S. Postal Service on the effective date of this amendatory Act of 1994: 60447, 60512, 60536, 60537, 60541, those parts of 60543 that are not within the census defined urbanized area, 60545, and 60560; those parts of McHenry County that are not included within any of the following ZIP code areas, as designated by the U.S. Postal Service on the effective date of this amendatory Act of 1994: 60001, 60033, 60034, 60071, 60072, 60097, 60098, 60142, 60152, and 60180; those parts of Will County that are not included within any of the following ZIP code areas, as designated by the U.S. Postal Service on the effective date of this amendatory Act of 1994: 60401, 60407, 60408, 60410, 60416, 60418, 60421, 60442, 60447, 60468, 60481, 60935 and 60950; those parts of Madison County that are not included within any of the following ZIP code areas, as designated by the U.S. Postal Service on the effective date of this amendatory Act of 1994: 62001, 62012, 62021, 62026, 62046, 62058, 62061, 62067, 62074, 62088, 62097, 62249, 62275, and 62281; those parts of Monroe County that are not included within any of the following ZIP code areas, as designated by the U.S. Postal Service on the effective date of this amendatory Act of 1994: 62244, 62248, 62256, 62261, 62276, 62278, 62279, 62295, and 62298; and those parts of St. Clair County that are not included within any of the following ZIP code areas, as designated by the U.S. Postal Service on the effective date of this amendatory Act of 1994: 62224, 62243, 62248, 62254, 62255, 62257, 62258, 62260, 62264, 62265, 62269, 62278, 62282, 62285, 62289, and 62298.

"Agency" means the Illinois Environmental Protection Agency

"Board" means the Illinois Pollution Control Board.

"Inspection area" means Cook County, DuPage County, Lake County and those portions of Kane, Kendall, Madison, McHenry, Monroe, Will, and St. Clair Counties included in the definition of "affected counties".

"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.

"Owner" means the registered owner of the vehicle, as indicated on the vehicle's registration. In the case of an unregistered vehicle, "owner" has the meaning set forth in Section 1-155 of this Code.

"Program" means the vehicle emission inspection program established under this Chapter.

"Resident" includes natural persons, foreign and domestic corporations, partnerships, associations, and all other commercial and governmental entities. For the purpose of determining residence, the owner of a vehicle shall be presumed to reside at the address indicated on the vehicle's registration. A governmental entity, including the federal government and its agencies, and any unit of local government or school district, any part of which is located within an affected county, shall be deemed a resident of an affected county for the purpose of any vehicle that is owned by the governmental entity and regularly operated in an affected county.

"Registration" of a vehicle means its registration under Article IV of Chapter 3 of this Code.

"Recognized repair technician" means a person professionally engaged in vehicle repair, employed by a going concern whose purpose is vehicle repair, or possessing nationally recognized certification for emission-related diagnosis and repair.

(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-10)

Sec. 13B-10. Program.

(a) The Agency shall establish a program to begin January 1, 1995, to reduce the emission of pollutants by motor vehicles. At a minimum, this program shall provide for all of the following:

(1) The inspection of certain motor vehicles every 2 years, as required under Section 13B-15.

(2) The establishment and operation of official inspection stations.

(3) The designation of official test equipment and testing procedures.

(4) The training and supervision of inspectors and other personnel.

(5) Procedures to assure the correct operation, maintenance and calibration of test equipment.

(6) Procedures for certifying test results and for reporting and maintaining relevant data and records.

(b) The Agency shall provide for the operation of a sufficient number of official inspection stations to prevent undue difficulty in obtaining the inspections required under this Chapter. In the event that the Agency operates inspection stations or contracts with one or more parties to operate inspection stations on its behalf, the Agency shall endeavor to: (i) locate the stations so that the owners of vehicles subject to inspection reside within 12 miles of an official inspection station; and (ii) have sufficient inspection capacity at the stations so that the usual wait before the start of an inspection does not exceed 20 minutes.
(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-15)

Sec. 13B-15. Inspections.

(a) Beginning January 1, 1995, every motor vehicle that is owned by a resident of an affected county, other than a vehicle that is exempt under subsection (f) or (g), is subject to inspection under the program.

The Agency shall send notice of the assigned inspection month, at least 15 days before the beginning of the assigned month, to the owner of each vehicle subject to the program. For a vehicle that was subject to inspection before the effective date of this amendatory Act of 1994 and for which an initial inspection sticker or initial inspection certificate has already been issued, the month to be assigned by the Agency for that vehicle shall not be earlier than the current assigned month, unless so requested by the owner. If the assigned month is later than the current assigned month, the Agency shall issue either a corrected inspection sticker or corrected certificate for that vehicle.

Initial emission inspection stickers or initial inspection certificates, as the case may be, expire on the last day of the third month following the month assigned by the Agency for the first inspection of the vehicle. Renewal inspection stickers or certificates expire on the last day of the third month following the month assigned for inspection in the year in which the vehicle's next inspection is required.

The Agency or its agent may issue an interim emission inspection sticker or certificate for any vehicle subject to

inspection that does not have a currently valid emission inspection sticker or certificate at the time the Agency is notified by the Secretary of State of its registration by a new owner, and for which an initial emission inspection sticker or certificate has already been issued. Interim emission inspection stickers or certificates expire no later than the last day of the sixth complete calendar month after the date the Agency issued the interim emission inspection sticker or certificate.

The owner of each vehicle subject to inspection shall obtain an emission inspection sticker or certificate for the vehicle in accordance with this subsection. Before the expiration of the emission inspection sticker or certificate, the owner shall have the vehicle inspected and, upon demonstration of compliance, obtain a renewal emission inspection sticker or certificate. A renewal emission inspection sticker or certificate shall not be issued more than 5 months before the expiration date of the previous inspection sticker or certificate.

(b) Except as provided in subsection (c), vehicles shall be inspected every 2 years on a schedule that begins either in the second, fourth, or later calendar year after the vehicle model year.

(c) A vehicle may be inspected out of its 2-year inspection schedule when a new owner acquires the vehicle and it should have been, but was not, in compliance with this Act when the vehicle was acquired by the new owner.

(d) The owner of a vehicle subject to inspection shall have the vehicle inspected and obtain and display on the vehicle or carry within the vehicle, in a manner specified by the Agency, a valid unexpired emission inspection sticker or certificate in the manner specified by the Agency.

Any person who violates this subsection (d) is guilty of a petty offense, except that a third or subsequent violation within one year of the first violation is a Class C misdemeanor. The fine imposed for a violation of this subsection shall be not less than \$50 if the violation occurred within 60 days following the date by which a new or renewal emission inspection sticker or certificate was required to be obtained for the vehicle, and not less than \$300 if the violation occurred more than 60 days after that date.

(e) (1) For a \$20 fee, to be paid into the Vehicle Inspection Fund, the Agency shall inspect:

(A) Vehicles operated on federal installations within an affected county, pursuant to Title 40, Section 51.356 of the Code of Federal Regulations.

(B) Federally owned vehicles operated in affected counties.

(2) For a fee of \$20, to be paid into the Vehicle Inspection Fund, the Agency may inspect:

(A) Vehicles registered in and subject to emission inspections requirements of another state.

(B) Vehicles presented for inspection on a voluntary basis.

Any fees collected under this subsection shall not offset normally appropriated Motor Fuel Tax Funds.

(f) The following vehicles are not subject to inspection:

(1) Vehicles not subject to registration under Article IV of Chapter 3 of this Code, other than vehicles owned by the federal government.

(2) Motorcycles, motor driven cycles, and motorized pedalcycles.

(3) Farm vehicles and implements of husbandry.

(4) Implements of warfare owned by the State or federal government.

(5) Antique vehicles and vehicles of model year 1967 or before.

(6) Vehicles operated exclusively for parade or ceremonial purposes by any veterans, fraternal, or civic organization, organized on a not-for-profit basis.

(7) Vehicles for which a Junking Certificate has been issued by the Secretary of State under Section 3-117 of this Code.

(8) Diesel powered vehicles, and vehicles that are powered exclusively by electricity.

(9) Vehicles operated exclusively in organized amateur or professional sporting activities, as defined in the Environmental Protection Act.

(10) Vehicles registered in, subject to, and in compliance with the emission inspection requirements of another state.

The Agency may issue temporary or permanent exemption stickers or certificates for vehicles temporarily or permanently exempt from inspection under this subsection (f). An exemption sticker or certificate does not need to be displayed.

(g) According to criteria the Agency may adopt, a motor vehicle may be exempted from the inspection requirements of this Section by the Agency on the basis of an Agency determination that the vehicle is located and primarily used outside of the affected counties or in other jurisdictions where vehicle emission inspections are not required. The Agency may issue an annual exemption sticker or certificate without inspection for any vehicle exempted from inspection under this subsection.

(h) Any owner or lessee of a fleet of 15 or more motor vehicles which are subject to inspection under this Section may

apply to the Agency for a permit to establish and operate a Private Official Inspection Station.

(i) Pursuant to Title 40, Section 51.371 of the Code of Federal Regulations, the Agency shall establish a program of on-road testing of in-use vehicles through the use of remote sensing devices. The Agency shall evaluate the emission performance of 0.5% of the subject fleet or 20,000 vehicles, whichever is less. Under no circumstances shall on-road testing include any sort of roadblock or roadside pullover or cause any type of traffic delay.

If, during the course of on-road inspections, a vehicle is found to exceed the on-road emissions standards established for the model year and type of vehicle, the Agency shall send a notice to the vehicle owner. The notice shall document the occurrence and results of on-road exceedances. The notice of a second on-road exceedance shall indicate that the vehicle has been reassigned and is subject to an out-of-cycle follow-up inspection at an official inspection station. In no case shall the Agency send a notice of an on-road exceedance to the owner of a vehicle that was found to exceed the on-road emission standards established for the model year and type of vehicle if the vehicle is registered outside of the affected counties. (Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-20)

Sec. 13B-20. Rules and standards.

(a) The Agency shall propose standards necessary to achieve reductions in the emission of hydrocarbons, carbon monoxide, and oxides of nitrogen from motor vehicles subject to inspection under this Chapter. Within 120 days after the Agency proposes these standards, the Board shall adopt rules establishing standards for the emission of hydrocarbons, carbon monoxide, and oxides of nitrogen from motor vehicles subject to inspection under this Chapter. These rules may be amended from time to time pursuant to Agency proposals. The Board shall set standards necessary to achieve the reductions in vehicle hydrocarbons, carbon monoxide, and oxides of nitrogen emissions, as determined by the applicable vehicle emission estimation model and rules developed by the United States Environmental Protection Agency, required by the federal Clean Air Act. A predetermined rate of failure shall not be used in determining standards necessary to achieve the reductions in vehicle hydrocarbons, carbon monoxide and oxides of nitrogen emissions. The emission standards established by the Board for vehicles of model year 1981 or later shall be identical in substance, as defined in Section 7.2(a) of the Environmental Protection Act, to the emission standards promulgated by the United States Environmental Protection Agency.

If the Administrator of the United States Environmental Protection Agency finds that oxides of nitrogen emission reductions are not beneficial under Title 40, Section 51.351(d) of the Code of Federal Regulations, the Board shall not adopt rules establishing such standards for the emission of oxides of nitrogen under this Chapter. Any rules establishing these standards that have already been adopted before the findings by the United States Environmental Protection Agency shall be repealed by the Board by preemptory rulemaking under the Illinois Administrative Procedure Act upon petition by the Agency.

Except as otherwise provided in this subsection, subsection (b) of Section 27 of the Environmental Protection Act and the rulemaking provisions of the Illinois Administrative Procedure Act shall not apply to rules adopted by the Board under this subsection. Challenges to the validity of rules adopted by the Board under this subsection (a) may only be brought by filing a petition for review in the Appellate Court under Section 29 of the Environmental Protection Act within 35 days after the rule is filed with the Secretary of State.

(b) The Agency shall establish, and may from time to time amend, procedures designed to implement this Chapter.
(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-25)

Sec. 13B-25. Performance of inspections.

(a) The inspection of vehicles required under this Chapter shall be performed only: (i) by inspectors who have been certified by the Agency after successfully completing a course of training and successfully passing a written test; (ii) at official inspection stations or official on-road inspection sites established under this Chapter; and (iii) with equipment that has been approved by the Agency for these inspections.

(b) Except as provided in subsections (c) and (d), the inspection shall consist of (i) a loaded mode exhaust gas analysis; (ii) an evaporative system integrity test; (iii) an on-board computer diagnostic system check; and (iv) a verification that all required emission-related recall repairs have been made under Title 40, Section 51.370 of the Code of Federal Regulations; and may also include an evaporative system purge test. The owner of the vehicle or the owner's agent shall be entitled to an emission inspection certificate issued by an inspector only if all required tests are passed at the time of the inspection.

(c) A steady-state idle exhaust gas analysis may be substituted for the loaded mode exhaust gas analysis and the evaporative purge system test in the following cases:

(1) On any vehicle of model year 1980 or older.

(2) On any heavy duty vehicle with a manufacturer gross vehicle weight rating in excess of 8,500 pounds.

(3) On any vehicle for which loaded mode testing is not possible due to vehicle design or configuration.

(d) A steady-state idle gas analysis may also be substituted for the new procedures specified in subsection (b) in inspections conducted in calendar year 1995 on any vehicle of model year 1990 or older.

(e) The exhaust gas analysis shall consist of a test of an exhaust gas sample to determine whether the quantities of exhaust gas pollutants emitted by the vehicle meet the standards set for vehicles of that type under Section 13B-20. A vehicle shall be deemed to have passed this portion of the inspection if the evaluation of the exhaust gas sample indicates that the quantities of exhaust gas pollutants emitted by the vehicle do not exceed the standards set for vehicles of that type under Section 13B-20 or an inspector certifies that the vehicle qualifies for a waiver of the exhaust gas pollutant standards under Section 13B-30.

(f) The evaporative system integrity test shall consist of a procedure to determine if leaks exist in all or a portion of the vehicle fuel evaporation emission control system. A vehicle shall be deemed to have passed this test if no leaks are observed in the system, as determined by comparison of observed pressure decay with standards set for vehicles of that type and model year.

(g) The evaporative system purge test shall consist of a procedure to verify the purging of vapors stored in the evaporative canister. A vehicle shall be deemed to have passed this test if it meets the criteria that the Board may adopt for an evaporative system purge test.

(h) The on-board computer diagnostic test shall consist of accessing the vehicle's on-board computer system, if so equipped, and reading any stored diagnostic codes that may be present. The vehicle shall be deemed to have passed this test if the codes observed did not exceed standards set for vehicles of that type under Section 13B-20.

(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-30)
Sec. 13B-30. Waivers.

(a) The Agency shall certify that a vehicle that has failed a vehicle emission retest qualifies for a waiver of the emission inspection standards if the following criteria are met:

(1) The vehicle has received all repairs and adjustments for which it is eligible under any emission performance warranty provided under Section 207 of the federal Clean Air Act.

(2) The Agency determines by normal inspection procedures that the vehicle's emission control devices are present and appear to be properly connected and operating.

(3) Consistent with Title 40, Section 51.360 of the Code of Federal Regulations, for vehicles required to be tested under this Chapter, a minimum expenditure of at least \$450 in emission-related repairs exclusive of tampering-related repairs have been made.

(4) Repairs for vehicles of model year 1981 and later are conducted by a recognized repair technician.

(5) Evidence of repair is presented consisting of either signed and dated receipts identifying the vehicle and describing the work performed and amount charged for eligible emission-related repairs, or an affidavit executed by the person performing the eligible emission related repairs.

(6) The repairs have resulted in an improvement in vehicle emissions as determined by comparison of initial and final retest results.

(b) The Agency may issue an emission inspection certificate to vehicles failing a transient loaded mode emission retest if a complete documented physical and functional diagnosis and inspection shows that no additional emission-related repairs are needed. This diagnostic inspection must be performed by the Agency or its designated agent and shall be available only to motorists whose vehicle was repaired by a recognized repair technician.

(c) The Agency may extend the emission inspection certificate expiration date by one year upon receipt of a petition by the vehicle owner that needed repairs cannot be made due to economic hardship. Consistent with Title 40, Section 51.360 of the Code of Federal Regulations, this extension may be granted more than once during the life of the vehicle.

(d) The Agency shall propose procedures, practices, and performance requirements for operation of vehicle scrappage programs by any person that wants to receive credits for certain emissions reductions from these vehicles. The proposal shall include the method of vehicle selection, testing of vehicle emissions, documentation of annual vehicle miles traveled, determination of emissions, and determination of emissions reductions credits. Any applicable guidance available from the United States Environmental Protection Agency regarding these programs shall also be considered by the Agency. Within 180 days after the Agency files this proposal, the Board shall adopt rules for vehicle scrappage programs. Subsection (b) of Section 27 of the Environmental Protection Act and the rulemaking provisions of the Illinois Administrative Procedure Act shall not apply to rules adopted by the Board under this subsection (d).

(e) The Agency may adopt procedures to purchase vehicles for scrap that are unable to meet emission inspection standards and for which motorists provide a signed estimate from a recognized repair technician that the cost of emission-related repairs is expected to exceed an amount equal to one-half of the current minimum expenditure required in item (3) of subsection (a) of this Section. If the Agency adopts such procedures, they must be included in the vehicle scrappage programs in subsection (d). Such procedures shall require the Agency to arrange for private sector funding for the purchase of at least 90% of the vehicles which will be purchased for scrap.

(f) The Agency may issue an emission inspection certificate for vehicles subject to inspection under this Chapter that are located and primarily used in an area subject to the vehicle emission inspection requirements of another state. Emission inspection certificates shall be issued under this subsection only upon receipt by the Agency of evidence that the vehicle has been inspected and is in compliance with the emission inspection requirements and standards applicable in the state or local jurisdiction where the vehicle is being used.

(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-35)

Sec. 13B-35. Inquiries. The Agency shall develop a means of responding to inquiries from inspectors and members of the public concerning the program, including (i) when inspections are required, (ii) what kind of inspections are required, (iii) whether emission inspection stickers or certificates previously required for a vehicle have been obtained, and (iv) the procedures for resolving disputes concerning inspections.

(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-40)

Sec. 13B-40. Grievance procedure. Any person aggrieved by a decision regarding the failure of an emissions test or the denial of a waiver may file a petition with the Agency within 30 days after the decision was made, and the Agency shall thereupon investigate the matter. Within 45 days after its receipt of the petition, the Agency shall submit to the petitioner and any affected inspector or station its written determination of the correctness or incorrectness of the decision complained of. The written determination shall include a statement of the facts relied upon and the legal and technical issues decided by the Agency in making its determination, and may also include an order directing the inspector (i) to issue an emission inspection certificate for the vehicle effective on such date as the Agency may specify, (ii) to reinspect the vehicle, (iii) to apply the standards that the Agency has determined to be

applicable, or (iv) to take any other action that the Agency deems to be appropriate. In conducting the investigation, the Agency may require the petitioner to present the vehicle for inspection by the Agency or its designated agent. The written determination of the Agency shall be subject to review in circuit court in accordance with the provisions of the Administrative Review Law, except that no challenge to the validity of a rule adopted by the Board under subsection (a) of Section 13B-20 shall be heard by the circuit court if the challenge could have been raised in a timely petition for review under Section 13B-20.

(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-45)

Sec. 13B-45. Contracts.

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

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

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

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

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

(3) The potential contractor's past record of performance on contracts with the Agency, with other government agencies or public bodies, and with private industry, including such items as cost, quality of work, and ability to meet schedules.

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

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

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

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

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

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

(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-50)

Sec. 13B-50. Costs.

(a) Except as otherwise provided in subsection (e) of Section 13B-15, no fee shall be charged to motor vehicle owners for obtaining inspections required under this Chapter. The Vehicle Inspection Fund, which is a fund created in the State treasury for the purpose of receiving moneys from the Motor Fuel Tax Fund and other sources, shall be used, subject to appropriation, for the payment of the costs of the program, including reimbursement of those agencies of the State that incur expenses in the administration or enforcement of the program. The Vehicle Inspection Fund shall continue in existence notwithstanding the repeal of Chapter 13A. Any money in the Vehicle Inspection Fund on January 1, 1995, shall be used for the purposes set forth in this Chapter.

(b) The Agency may acquire, own, maintain, operate, sell, lease and otherwise transfer real and personal property and interests in real and personal property for the purpose of creating or operating inspection stations and for any other purpose relating to the administration of this Chapter, and may use money from the Vehicle Inspection Fund for these purposes.

(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-55)

Sec. 13B-55. Enforcement.

(a) The Agency shall cooperate in the enforcement of this Chapter by (i) identifying probable violations through computer matching of vehicle registration records and inspection records; (ii) sending one notice to each suspected violator identified through such matching, stating that registration and inspection records indicate that the vehicle owner has not complied with this Chapter; (iii) directing the vehicle owner to notify the Agency or the Secretary of State if he or she has ceased to own the vehicle or has changed residence; and (iv) advising the vehicle owner of the consequences of violating this Chapter.

The Agency shall cooperate with the Secretary of State in the administration of this Chapter and the related provisions of Chapter 3, and shall provide the Secretary of State with such information as the Secretary of State may deem necessary for these purposes, including regular and timely access to vehicle inspection records. The Agency shall be reimbursed for the cost of providing this information.

The Secretary of State shall cooperate with the Agency in the administration of this Chapter and shall provide the Agency with such information as the Agency may deem necessary for the purposes of this Chapter, including regular and timely access to vehicle registration records. Section 2-123 of this Code shall not apply to the provision of this information, but the Secretary of State shall be reimbursed for the cost of providing the information.

(b) The Secretary of State shall suspend either the driving privileges or the vehicle registration, or both, of any vehicle owner who has not complied with this Chapter, if (i) the vehicle owner failed to satisfactorily respond to the one notice sent by the Agency under subsection (a), and (ii) the Secretary of State has mailed the vehicle owner a notice that the suspension will be imposed if the owner does not comply within a stated period, and the Secretary of State has not received satisfactory evidence of compliance within that period. The Secretary of State shall send this notice only after receiving a statement from the Agency that the vehicle owner has failed to comply with this Section. Notice shall be effective as specified in subsection (c) of Section 6-211 of this Code.

A suspension under this subsection shall not be terminated until satisfactory proof of compliance has been submitted to the Secretary of State. No driver's license or permit, or renewal of a license or permit, may be issued to a person whose driving privileges have been suspended under this Section until the suspension has been terminated. No vehicle registration or registration plate that has been suspended under this Section may be reinstated or renewed, or transferred by the owner to any other vehicle, until the suspension has been terminated.

The filing fee for an administrative hearing to contest a suspension made under this Section shall be \$20, to be paid by the vehicle owner at the time written request for the hearing is made to the Secretary of State.

The Secretary of State may promulgate rules to enable him or her to carry out his or her duties under this Chapter.
(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-60)

Sec. 13B-60. Other offenses.

(a) Any person who knowingly displays an emission inspection sticker or exemption sticker on any vehicle other than the one for which the sticker was lawfully issued in accordance with the provisions of this Chapter, or duplicates, alters, uses, possesses, issues, or distributes any emission inspection sticker, exemption sticker, inspection certificate, or facsimile thereof, except in accordance with the provisions of this Chapter and the rules and regulations adopted hereunder, is guilty of a Class C misdemeanor.

(b) A vehicle owner shall pay a monetary fine equivalent to the test fee plus the applicable waiver repair expenditure for the continued operation of a noncomplying vehicle beyond 4 months past the expiration of the vehicle emission inspection certificate. Any fines collected under this Section shall be divided equally between the local jurisdiction issuing the citation and the Vehicle Inspection Fund.

(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-70)

Sec. 13B-70. Legislative intent. It is the intent of the General Assembly that, to the greatest extent possible, there be continuity in the operation of the Vehicle Emissions Inspection Programs under this Chapter and Chapter 13A during the transition phase when certain affected counties become subject to the program under this Chapter instead of the program under Chapter 13A.

(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-75)

Sec. 13B-75. Home rule. Pursuant to subsections (h) and (i) of Section 6 of Article VII of the Illinois Constitution, the exercise by a home rule unit of any power which is inconsistent with this Chapter is hereby specifically denied and preempted, and the vehicle emission inspection program created by this Chapter is hereby declared to be the subject of exclusive State jurisdiction.

(Source: P.A. 88-533, eff. 1-18-95.)

(625 ILCS 5/13B-99)

Sec. 13B-99. Effective date. This Act takes effect upon becoming law.

(Source: P.A. 88-533, eff. 1-18-95.)