

THE FLINN REPORT

ILLINOIS GENERAL ASSEMBLY JOINT COMMITTEE ON ADMINISTRATIVE RULES

Elaine Spencer, Editor

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The Flinn Report is a weekly summary of regulatory actions of State agencies published in the *Illinois Register* and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules (JCAR). The Flinn Report honors founding JCAR member Representative Monroe Flinn, and is designed to inform and involve the public in changes taking place in agency administration.

Proposed Rulemakings

▪ COMMERCIAL DRIVER'S LICENSES

The SECRETARY OF STATE proposed amendments to the Part titled Commercial Driver Training Schools (92 IAC 1060; 49 Ill Reg 14090) implementing Public Act 104-260. The rulemaking adds a definition of "Competent Medical Examiner", for purposes of submitting medical reports, to include any licensed physician, a licensed physician's assistant, or a licensed advanced practice registered nurse. The rulemaking also clarifies that the requirement to hold a valid driver's license for any 2-year period preceding the date of application includes temporary visitor's driver's licenses. Applicants for commercial driver's licenses are affected.

UNINSURED DRIVERS

SOS also proposed amendments to the Part titled Illinois Safety Responsibility Law (92 IAC 1070; 49 Ill

Reg 14107) implementing PA 104-260. Under the Illinois Safety Responsibility Law, SOS suspends the licenses of uninsured drivers involved in vehicle accidents unless they post security in an amount expected to cover any damages resulting from the accident. The PA and this rulemaking terminate the suspension when the statute of

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limitations for filing suit for accident-related damages expires with no suit having been filed or pending. (Previously, the suspension lasted two years regardless of the statute of limitations for filing suit, which in Illinois is generally 2 years for accidents involving personal injury and 5 years for property damage.) If the driver posted security to remove the suspension, the security may now be returned upon the expiration of the statute of limitations.

Questions/requests for copies/comments on the 2 SOS rulemakings through 12/8/25: Pamela Wright, SOS, 298 Howlett Building, Springfield IL 62756, 217-785-3094, pwright@ilsos.gov

▪ DRINKING WATER

The POLLUTION CONTROL BOARD proposed amendments to Primary Drinking Water Standards (35 IAC 611; 49 Ill Reg 13118) that implement "identical in substance" updates to the U.S. Environmental Protection Agency's National Primary Drinking Water Regulations (NPDWRs) approved in 2024. These changes include approval of 93 alternative testing methods for analyzing contaminants in drinking water; adding new regulations for 6 per- and poly-fluoroalkyl substances (PFAS, commonly known as "forever chemicals"); updates to lead and

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ADOPTED RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Temporary rules adopted for no more than 150 days.

PROPOSED RULEMAKINGS: Rules proposed by agencies this week, commencing a First Notice public comment period of at least 45 days.

PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.

▪ - Designates rules of special interest to small businesses, small municipalities and/or non-profit organizations. Agencies must consider comments from these groups and attempt to minimize regulatory burdens on them.

QUESTIONS/COMMENTS: Submit mail, e-mail or phone calls to the agency personnel listed below each summary.

RULE TEXT: First Notice proposed text, emergency rule and peremptory rule text is available at the Secretary of State website (<https://www.ilsos.gov/departments/index/register/home.html>) or at the Illinois General Assembly website (<http://www.ilga.gov>) under "Illinois Register". Second Notice text for proposed rulemakings (original version with any changes made by the agency during First Notice included) is available at the JCAR website.

Proposed Rulemakings

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copper rules; and corrections to previously published USEPA rules. Those affected by this rulemaking include municipalities and water districts.

Questions/requests for copies/comments through 12/8/25: Clerk's Office, PCB, 60 E. Van Buren St., Ste. 630, Chicago IL 60605, 312-814-3620. Please reference docket R25-1/25-9. Interested persons may download copies of the Board's opinions and orders in R25-1/R25-9 from the Board's Web site at <http://www.pcb.illinois.gov>

DOC Public Hearing

PRISON MAIL SCANNING

The DEPARTMENT OF CORRECTIONS will hold a public hearing on proposed amendments to Rights and Privileges (20 IAC 525; 49 Ill Reg 12657) **Tuesday, Nov. 4, from 10:30 a.m. to 12 noon** in Conference Room 340C of the Stratton Building, 401 S. Spring St., **Springfield**. Online participation via Webex is also available at the following link: <https://illinois.webex.com/weblink/register/r1704eb875efb4e2da0b56a0bd2f03c24>.

The hearing concerns a rulemaking published in the 10/10/25 *Illinois Register* that implements updated DOC policies for scanning incoming mail and screening published material mailed, shipped or brought into correctional facilities. A companion emergency rule (49 Ill Reg 10945) remains in effect through 1/10/26 or until replaced by the proposed rulemaking.

Persons wishing to testify in person at the hearing are encouraged to sign up in advance and submit their planned remarks in writing at DOC.ProposedRulemaking@illinois.gov. Oral testimony shall be limited to 5 minutes per person. Disability access requests may also be sent to this same e-mail address. Persons who cannot participate in the hearing may submit comments directly to DOC through 11/24/25, using the contact information below.

Questions/comments concerning the hearing or the proposed rulemaking: Glen Austin, IDOC, 1021 North Grand Ave. East, Springfield IL 62702, 217-786-6904, DOC.ProposedRulemaking@illinois.gov

Adopted Rule

DHS FACILITY RESIDENTS

The DEPARTMENT OF HUMAN SERVICES adopted amendments to the Part titled Recipient's Property (59 IAC 110; proposed at 49 Ill Reg 5613) effective 10/9/25 at 49 Ill Reg 14118, updating policies for handling the property of recipients of treatment or habilitation at Department-operated mental health and developmental disabilities facilities. This rulemaking allows personal property items left unclaimed at a DHS facility for 2 years or more to be sold, after notification to the persons to whom they originally belonged and/or their representatives, with proceeds from the sale to be deposited in the Service

Recipients Activity Fund for DHS facilities. Items with a total estimated value of \$1,000 or more (previously, items with an estimated value of \$500 or more) will be advertised for sale for at least 7 days prior to being sold. If there is no response to the advertisement, the items may be sold in a manner advantageous to the facility. Other provisions update procedures for handling recipients' trust funds and verifying their eligibility for public assistance and other benefits upon discharge from a facility; remove a \$1,500 cap on burial expenses for a deceased recipient; and update policies placing limitations on an individual's use of personal property in a State Operated

Development Center (SODC) when that individual's service plan or behavior intervention plan calls for it (due to the recipient's lack of judgement or skills). Since 1st Notice, DHS has changed all references to "residents", "patients" or "individuals" to "recipients" for consistency; replaced "properly empowered guardian" with "guardian of the person or estate" throughout; and clarified or updated other terms.

Questions/requests for copies: Tracie Drew, DHS, 100 S. Grand Ave. East, Harris Building, 3rd Floor, Springfield IL 62762, 217-785-9772, DHS.AdministrativeRules@illinois.gov

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the November 18, 2025 meeting in Chicago. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR at jcar@ilga.gov.

CHIEF PROCUREMENT OFFICER FOR GENERAL SERVICES

Chief Procurement Officer for General Services Standard Procurement (44 IAC 1; 49 Ill Reg 6643) proposed 5/16/25

STATE BOARD OF ELECTIONS

Certification of Computer-Based Voter Registration Systems (26 IAC 410; 49 Ill Reg 10328) proposed 8/15/25

DEPARTMENT OF HUMAN SERVICES

Child Care (89 IAC 50; 49 Ill Reg 8873) proposed 7/11/25

ILLINOIS POWER AGENCY

Fee Assessment and Collection for Regulation Procurement Events, Special Procurement Events and Other Services (83 IAC 1200; 49 Ill Reg 5259) proposed 4/18/25

DEPARTMENT OF REVENUE

Amnesty Regulations (86 IAC 520; 49 Ill Reg 10717) proposed 8/22/25

Next JCAR Meeting: Tuesday, Nov. 18, 11 a.m.

Room C-600, Bilandic Bldg. 160 N. LaSalle St., Chicago

Meeting will be live streamed on the JCAR website

Joint Committee on Administrative Rules

Senator Bill Cunningham, Co-Chair

Senator Cristina Castro

Senator Donald DeWitte

Senator Dale Fowler

Senator Napoleon Harris, III

Senator Sally Turner

Representative Ryan Spain, Co-Chair

Representative Eva-Dina Delgado

Representative Jackie Haas

Representative Steven Reick

Representative Curtis Tarver, II

Representative Dave Vella

Kim Schultz, Executive Director ■ Kevin Kulavic, Deputy Director

700 Stratton Office Building, Springfield IL 62706

217-785-2254 ■ jcar@ilga.gov