



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3774

Introduced 2/17/2023, by Rep. Paul Jacobs

SYNOPSIS AS INTRODUCED:

620 ILCS 15/1	from Ch. 15 1/2, par. 187
620 ILCS 15/7.5 new	
625 ILCS 5/1-178.5 new	
625 ILCS 5/3-102	from Ch. 95 1/2, par. 3-102
625 ILCS 5/3-405.35 new	
625 ILCS 5/3-412	from Ch. 95 1/2, par. 3-412
625 ILCS 5/3-413	from Ch. 95 1/2, par. 3-413
625 ILCS 5/11-201.5 new	
625 ILCS 5/13-101	from Ch. 95 1/2, par. 13-101
625 ILCS 5/13C-15	

Amends the Aircraft Landing and Taking Off Restriction Act. Defines "roadable aircraft". Provides that roadable aircraft shall be required to take off and land from a suitable airstrip and shall be prohibited from taking off and landing from any public roadway, unless under conditions of an emergency. Amends the Illinois Vehicle Code. Defines "roadable aircraft" as an aircraft that has a method of propulsion which allows wheeled travel on roads and highways and is manufactured to meet the federal safety standards of motorcycles. Provides that a roadable aircraft shall be considered a motor vehicle while in operation on the roadways of the State. Exempts roadable aircraft from certificate of title requirements. Provides that roadable aircraft shall be identified using the federally issued tail number and may, but shall not be required to, display an additional license plate. Provides that roadable aircraft shall be issued one annual registration sticker and provides for the display of the registration sticker. Exempts roadable aircraft from motor vehicle inspection requirements.

LRB103 27544 MXP 53919 b

1 AN ACT concerning transportation.

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

4 Section 5. The Aircraft Landing and Taking Off Restriction
5 Act is amended by changing Section 1 and by adding Section 7.5
6 as follows:

7 (620 ILCS 15/1) (from Ch. 15 1/2, par. 187)

8 Sec. 1. For the purposes of this Act, the term:

9 (a) "public airport" means any airport owned or operated
10 by the State of Illinois, or by any municipal corporation or
11 political subdivision of this state, which is used or intended
12 for use by public, commercial and private aircraft and by
13 persons owning, managing, operating or desiring to use,
14 inspect or repair any such aircraft or to use any such airport
15 for aeronautical purposes.

16 (b) "individual charged with the responsibility of
17 grounding aircraft" means a person who is regularly in the
18 employ of a public airport in a managerial or operational
19 position who has been specifically authorized by the governing
20 body of the municipality which owns or operates the public
21 airport to exercise the powers conferred by this Act.

22 (c) "roadable aircraft" means any aircraft capable of
23 taking off and landing from a suitable airfield which is also

1 designed to be driven on public roadways as a conveyance.

2 (Source: Laws 1957, p. 1294)

3 (620 ILCS 15/7.5 new)

4 Sec. 7.5. Roadable aircraft. All roadable aircraft shall
5 be required to take off and land from a suitable airstrip and
6 shall be prohibited from taking off and landing from any
7 public roadway unless under conditions of an emergency. All
8 roadable aircraft shall be considered motor vehicles while in
9 operation on the roadways of the State. The operation of
10 roadable aircraft shall be subject to restrictions placed upon
11 the use of public roadways by rules adopted by the Department
12 of Transportation.

13 Section 10. The Illinois Vehicle Code is amended by
14 changing Sections 3-102, 3-412, 3-413, 13-101, and 13C-15 and
15 by adding Sections 1-178.5, 3-405.35, and 11-201.5 as follows:

16 (625 ILCS 5/1-178.5 new)

17 Sec. 1-178.5. Roadable aircraft. A roadable aircraft is an
18 aircraft that has a method of propulsion which allows wheeled
19 travel on roads and highways and is manufactured to meet the
20 federal safety standards of motorcycles.

21 (625 ILCS 5/3-102) (from Ch. 95 1/2, par. 3-102)

22 Sec. 3-102. Exclusions. No certificate of title need be

1 obtained for:

2 1. a vehicle owned by the State of Illinois; or a
3 vehicle owned by the United States unless it is registered
4 in this State;

5 2. a vehicle owned by a manufacturer or dealer and
6 held for sale, even though incidentally moved on the
7 highway or used for purposes of testing or demonstration,
8 provided a dealer reassignment area is still available on
9 the manufacturer's certificate of origin or the Illinois
10 title; or a vehicle used by a manufacturer solely for
11 testing;

12 3. a vehicle owned by a non-resident of this State and
13 not required by law to be registered in this State;

14 4. a motor vehicle regularly engaged in the interstate
15 transportation of persons or property for which a
16 currently effective certificate of title has been issued
17 in another State;

18 5. a vehicle moved solely by animal power;

19 6. an implement of husbandry;

20 7. special mobile equipment;

21 8. an apportionable trailer or an apportionable
22 semitrailer registered in the State prior to April 1,
23 1998;

24 9. a manufactured home for which an affidavit of
25 affixation has been recorded pursuant to the Conveyance
26 and Encumbrance of Manufactured Homes as Real Property and

1 Severance Act unless with respect to the same manufactured
2 home there has been recorded an affidavit of severance
3 pursuant to that Act; ~~or-~~

4 10. a roadable aircraft as defined in Section 1-777.2.

5 (Source: P.A. 98-749, eff. 7-16-14; 99-78, eff. 7-20-15.)

6 (625 ILCS 5/3-405.35 new)

7 Sec. 3-405.35. Application for roadable aircraft.

8 (a) Upon receipt of an application for registration of a
9 roadable aircraft and payment of applicable fees, the
10 Secretary of State shall issue a certificate of registration
11 to the owner of a roadable aircraft if the application is
12 accompanied by the following:

13 (i) proof of valid and unexpired aircraft registration
14 issued by the Department; and

15 (ii) a copy of an annual aircraft inspection completed
16 within the 12 calendar months immediately preceding the
17 date of application.

18 (b) Roadable aircraft shall be identified using a
19 federally issued tail number and shall not be required to
20 display an additional license plate or decal. The Secretary of
21 State shall issue a motorcycle-sized license plate to each
22 roadable aircraft owner with a license plate number matching
23 the federally issued tail number but the display of the
24 license plate shall be at the discretion of the roadable
25 aircraft owner.

1 (c) The expiration date of a certificate issued pursuant
2 to this Section shall match the expiration of the aircraft
3 registration issued by the Department.

4 (d) The fees for registration of roadable aircraft shall
5 be comprised of the following:

6 (1) the fee prescribed by Section 42 of the Illinois
7 Aeronautics Act, payable to the Department under that Act;
8 and

9 (2) for original issuance, \$15, which shall be
10 deposited into the Secretary of State Special License
11 Plate Fund; or

12 (3) for each registration renewal period, \$2, which
13 shall be deposited into the Secretary of State Special
14 License Plate Fund.

15 (625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

16 Sec. 3-412. Registration plates or digital registration
17 plates and registration stickers or digital registration
18 stickers to be furnished by the Secretary of State.

19 (a) The Secretary of State upon registering a vehicle
20 subject to annual registration for the first time shall issue
21 or shall cause to be issued to the owner one registration plate
22 or digital registration plate for a motorcycle, trailer,
23 semitrailer, moped, autocycle, or truck-tractor, 2
24 registration plates, or a digital registration plate and metal
25 plate as set forth in Section 3-401.5, for other motor

1 vehicles and, where applicable, current registration stickers
2 or digital registration stickers for motor vehicles of the
3 first division. The provisions of this Section may be made
4 applicable to such vehicles of the second division, as the
5 Secretary of State may, from time to time, in his discretion
6 designate. On subsequent annual registrations during the term
7 of the registration plate or digital registration plate as
8 provided in Section 3-414.1, the Secretary shall issue or
9 cause to be issued registration stickers or digital
10 registration stickers as evidence of current registration.
11 However, the issuance of annual registration stickers or
12 digital registration stickers to vehicles registered under the
13 provisions of Sections 3-402.1 and 3-405.3 of this Code may
14 not be required if the Secretary deems the issuance
15 unnecessary.

16 (b) Every registration plate or digital registration plate
17 shall have displayed upon it the registration number assigned
18 to the vehicle for which it is issued, the name of this State,
19 which may be abbreviated, the year number for which it was
20 issued, which may be abbreviated, the phrase "Land of Lincoln"
21 (except as otherwise provided in this Code), and such other
22 letters or numbers as the Secretary may prescribe. However,
23 for apportionment plates issued to vehicles registered under
24 Section 3-402.1 and fleet plates issued to vehicles registered
25 under Section 3-405.3, the phrase "Land of Lincoln" may be
26 omitted to allow for the word "apportioned", the word "fleet",

1 or other similar language to be displayed. Registration plates
2 or digital registration plates issued to a vehicle registered
3 as a fleet vehicle may display a designation determined by the
4 Secretary.

5 The Secretary may in his discretion prescribe that letters
6 be used as prefixes only on registration plates or digital
7 registration plates issued to vehicles of the first division
8 which are registered under this Code and only as suffixes on
9 registration plates or digital registration plates issued to
10 other vehicles. Every registration sticker or digital
11 registration sticker issued as evidence of current
12 registration shall designate the year number for which it is
13 issued and such other letters or numbers as the Secretary may
14 prescribe and shall be of a contrasting color with the
15 registration plates or digital registration plates and
16 registration stickers or digital registration stickers of the
17 previous year.

18 (c) Each registration plate or digital registration plate
19 and the required letters and numerals thereon, except the year
20 number for which issued, shall be of sufficient size to be
21 plainly readable from a distance of 100 feet during daylight,
22 and shall be coated with reflectorizing material. The
23 dimensions of the plate issued to vehicles of the first
24 division shall be 6 by 12 inches.

25 (d) The Secretary of State shall issue for every passenger
26 motor vehicle rented without a driver the same type of

1 registration plates or digital registration plates as the type
2 of plates issued for a private passenger vehicle.

3 (e) The Secretary of State shall issue for every passenger
4 car used as a taxicab or livery, distinctive registration
5 plates or digital registration plates.

6 (f) The Secretary of State shall issue for every
7 motorcycle distinctive registration plates or digital
8 registration plates distinguishing between motorcycles having
9 150 or more cubic centimeters piston displacement, or having
10 less than 150 cubic centimeter piston displacement.

11 (g) Registration plates or digital registration plates
12 issued to vehicles for-hire may display a designation as
13 determined by the Secretary that such vehicles are for-hire.

14 (h) (Blank).

15 (i) The Secretary of State shall issue for every public
16 and private ambulance registration plates or digital
17 registration plates identifying the vehicle as an ambulance.
18 The Secretary shall forward to the Department of Healthcare
19 and Family Services registration information for the purpose
20 of verification of claims filed with the Department by
21 ambulance owners for payment for services to public assistance
22 recipients.

23 (j) The Secretary of State shall issue for every public
24 and private medical carrier or rescue vehicle livery
25 registration plates or digital registration plates displaying
26 numbers within ranges of numbers reserved respectively for

1 medical carriers and rescue vehicles. The Secretary shall
2 forward to the Department of Healthcare and Family Services
3 registration information for the purpose of verification of
4 claims filed with the Department by owners of medical carriers
5 or rescue vehicles for payment for services to public
6 assistance recipients.

7 (k) The Secretary of State shall issue distinctive license
8 plates or digital registration plates or distinctive license
9 plate stickers or digital registration stickers for every
10 vehicle exempted from subsections (a) and (a-5) of Section
11 12-503 by subsection (g) of that Section, and by subsection
12 (g-5) of that Section before its deletion by this amendatory
13 Act of the 95th General Assembly. The Secretary shall issue
14 these plates or stickers immediately upon receiving the
15 physician's certification required under subsection (g) of
16 Section 12-503. New plates or stickers shall also be issued
17 when the certification is renewed as provided in that
18 subsection.

19 (l) The Secretary of State shall issue distinctive
20 registration plates or digital registration plates for
21 low-speed vehicles.

22 (m) The Secretary of State shall issue distinctive
23 registration plates or digital registration plates for
24 autocycles. The dimensions of the plate issued to autocycles
25 shall be 4 by 7 inches.

26 (n) The Secretary of State shall issue distinctive

1 registration plates or digital registration plates for
2 roadable aircraft. The dimensions of the plate issued to
3 autocycles shall be 4 by 7 inches. The Secretary shall issue
4 one annual registration sticker to the owner of a roadable
5 aircraft.

6 (Source: P.A. 101-395, eff. 8-16-19.)

7 (625 ILCS 5/3-413) (from Ch. 95 1/2, par. 3-413)

8 Sec. 3-413. Display of registration plates or digital
9 registration plates, registration stickers or digital
10 registration stickers, and drive-away permits; registration
11 plate or digital registration plate covers.

12 (a) Registration plates or digital registration plates
13 issued for a motor vehicle other than a motorcycle, autocycle,
14 trailer, semitrailer, truck-tractor, apportioned bus, or
15 apportioned truck shall be attached thereto, one in the front
16 and one in the rear. The registration plate or digital
17 registration plate issued for a motorcycle, autocycle, trailer
18 or semitrailer required to be registered hereunder and any
19 apportionment plate issued to a bus under the provisions of
20 this Code shall be attached to the rear thereof. The
21 registration plate or digital registration plate issued for a
22 truck-tractor or an apportioned truck required to be
23 registered hereunder shall be attached to the front thereof.

24 (b) Except for vehicles with rear loaded motorized
25 forklifts, every registration plate or digital registration

1 plate shall at all times be securely fastened in a horizontal
2 position to the vehicle for which it is issued so as to prevent
3 the plate from swinging and at a height of not less than 5
4 inches from the ground, measuring from the bottom of such
5 plate, in a place and position to be clearly visible and shall
6 be maintained in a condition to be clearly legible, free from
7 any materials that would obstruct the visibility of the plate.
8 A registration plate or digital registration plate on a
9 motorcycle may be mounted vertically as long as it is
10 otherwise clearly visible. Registration stickers or digital
11 registration stickers issued as evidence of renewed annual
12 registration shall be attached to registration plates or
13 displayed on digital registration plates as required by the
14 Secretary of State, and be clearly visible at all times. For
15 those vehicles with rear loaded motorized forklifts, if the
16 rear plate is securely fastened in a horizontal position as
17 prescribed, the plate and registration sticker shall not be
18 required to be clearly visible at all times as a result of the
19 rear mounted motorized forklift obstructing the view.

20 (b-5) Notwithstanding subsection (b), the display of the
21 registration plate for a roadable aircraft is within the
22 discretion of the owner of the roadable aircraft. The
23 registration sticker for the roadable aircraft shall be
24 affixed to the left tail section of the roadable aircraft in a
25 visible area.

26 (c) Every drive-away permit issued pursuant to this Code

1 shall be firmly attached to the motor vehicle in the manner
2 prescribed by the Secretary of State. If a drive-away permit
3 is affixed to a motor vehicle in any other manner the permit
4 shall be void and of no effect.

5 (d) The Illinois prorated decal issued to a foreign
6 registered vehicle part of a fleet prorated or apportioned
7 with Illinois, shall be displayed on a registration plate or
8 digital registration plate and displayed on the front of such
9 vehicle in the same manner as an Illinois registration plate
10 or digital registration plate.

11 (e) The registration plate or digital registration plate
12 issued for a camper body mounted on a truck displaying
13 registration plates or digital registration plates shall be
14 attached to the rear of the camper body.

15 (f) No person shall operate a vehicle, nor permit the
16 operation of a vehicle, upon which is displayed an Illinois
17 registration plate or plates or digital registration plate or
18 plates or registration stickers or digital registration
19 stickers, except as provided for in subsection (b) of Section
20 3-701 of this Code, after the termination of the registration
21 period for which issued or after the expiration date set
22 pursuant to Sections 3-414 and 3-414.1 of this Code.

23 (g) A person may not operate any motor vehicle that is
24 equipped with registration plate or digital registration plate
25 covers. A violation of this subsection (g) or a similar
26 provision of a local ordinance is an offense against laws and

1 ordinances regulating the movement of traffic.

2 (h) A person may not sell or offer for sale a registration
3 plate or digital registration plate cover. A violation of this
4 subsection (h) is a business offense.

5 (i) A person may not advertise for the purpose of
6 promoting the sale of registration plate or digital
7 registration plate covers. A violation of this subsection (i)
8 is a business offense.

9 (j) A person may not modify the original manufacturer's
10 mounting location of the rear registration plate or digital
11 registration plate on any vehicle so as to conceal the
12 registration or to knowingly cause it to be obstructed in an
13 effort to hinder a peace officer from obtaining the
14 registration for the enforcement of a violation of this Code,
15 Section 27.1 of the Toll Highway Act concerning toll evasion,
16 or any municipal ordinance. Modifications prohibited by this
17 subsection (j) include but are not limited to the use of an
18 electronic device. A violation of this subsection (j) is a
19 Class A misdemeanor.

20 (Source: P.A. 101-395, eff. 8-16-19.)

21 (625 ILCS 5/11-201.5 new)

22 Sec. 11-201.5. Roadable aircraft. A roadable aircraft
23 shall be considered a motor vehicle while in operation on the
24 roadways of this State. The operation of a roadable aircraft
25 shall be subject to restrictions placed upon the use of public

1 roadways by rules adopted by the Department of Transportation.

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

3 Sec. 13-101. Submission to safety test; certificate of
4 safety. To promote the safety of the general public, every
5 owner of a second division vehicle, medical transport vehicle,
6 tow truck, first division vehicle including a taxi which is
7 used for a purpose that requires a school bus driver permit,
8 motor vehicle used for driver education training, or contract
9 carrier transporting employees in the course of their
10 employment on a highway of this State in a vehicle designed to
11 carry 15 or fewer passengers shall, before operating the
12 vehicle upon the highways of Illinois, submit it to a "safety
13 test" and secure a certificate of safety furnished by the
14 Department as set forth in Section 13-109. Each second
15 division motor vehicle that pulls or draws a trailer,
16 semitrailer or pole trailer, with a gross weight of 10,001 lbs
17 or more or is registered for a gross weight of 10,001 lbs or
18 more, motor bus, religious organization bus, school bus,
19 senior citizen transportation vehicle, and limousine shall be
20 subject to inspection by the Department and the Department is
21 authorized to establish rules and regulations for the
22 implementation of such inspections.

23 The owners of each salvage vehicle shall submit it to a
24 "safety test" and secure a certificate of safety furnished by
25 the Department prior to its salvage vehicle inspection

1 pursuant to Section 3-308 of this Code. In implementing and
2 enforcing the provisions of this Section, the Department and
3 other authorized State agencies shall do so in a manner that is
4 not inconsistent with any applicable federal law or regulation
5 so that no federal funding or support is jeopardized by the
6 enactment or application of these provisions.

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

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

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

18 (c) a semitrailer or trailer having a gross weight of
19 5,000 pounds or less including vehicle weight and maximum
20 load;

21 (d) recreational vehicles;

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

26 (f) house trailers equipped and used for living

1 quarters;

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

10 (h) vehicles owned or operated by a manufacturer,
11 dealer or transporter displaying a special plate or plates
12 as described in Chapter 3 of this Code while such vehicle
13 is being delivered from the manufacturing or assembly
14 plant directly to the purchasing dealership or
15 distributor, or being temporarily road driven for quality
16 control testing, or from one dealer or distributor to
17 another, or are being moved by the most direct route from
18 one location to another for the purpose of installing
19 special bodies or equipment, or driven for purposes of
20 demonstration by a prospective buyer with the dealer or
21 his agent present in the cab of the vehicle during the
22 demonstration;

23 (i) pole trailers and auxiliary axles;

24 (j) special mobile equipment;

25 (k) vehicles properly registered in another State
26 pursuant to law and displaying a valid registration plate

1 or digital registration plate, except vehicles of contract
2 carriers transporting employees in the course of their
3 employment on a highway of this State in a vehicle
4 designed to carry 15 or fewer passengers are only exempted
5 to the extent that the safety testing requirements
6 applicable to such vehicles in the state of registration
7 are no less stringent than the safety testing requirements
8 applicable to contract carriers that are lawfully
9 registered in Illinois;

10 (l) water-well boring apparatuses or rigs;

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

14 (n) second division vehicles registered for a gross
15 weight of 10,000 pounds or less, except when such second
16 division motor vehicles pull or draw a trailer,
17 semi-trailer or pole trailer having a gross weight of or
18 registered for a gross weight of more than 10,000 pounds;
19 motor buses; religious organization buses; school buses;
20 senior citizen transportation vehicles; medical transport
21 vehicles; tow trucks; and any property carrying vehicles
22 being operated in commerce that are registered for a gross
23 weight of more than 8,000 lbs but less than 10,001 lbs;
24 and-

25 (o) roadable aircraft.

26 The safety test shall include the testing and inspection

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

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

20 For driver education vehicles used by public high schools,
21 the vehicle must also be equipped with dual control brakes, a
22 mirror on each side of the vehicle so located as to reflect to
23 the driver a view of the highway for a distance of at least 200
24 feet to the rear, and a sign visible from the front and the
25 rear identifying the vehicle as a driver education car.

26 For trucks, truck tractors, trailers, semi-trailers,

1 buses, and first division vehicles including taxis which are
2 used for a purpose that requires a school bus driver permit,
3 the safety test shall be conducted in accordance with the
4 Minimum Periodic Inspection Standards promulgated by the
5 Federal Highway Administration of the U.S. Department of
6 Transportation and contained in Appendix G to Subchapter B of
7 Chapter III of Title 49 of the Code of Federal Regulations.
8 Those standards, as now in effect, are made a part of this
9 Code, in the same manner as though they were set out in full in
10 this Code.

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

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

19 (625 ILCS 5/13C-15)

20 Sec. 13C-15. Inspections.

21 (a) Computer-Matched Inspections and Notification.

22 (1) The provisions of this subsection (a) are
23 operative until the implementation of the registration
24 denial inspection and notification mechanisms required by
25 subsection (b). Beginning with the implementation of the

1 program required by this Chapter, every motor vehicle that
2 is owned by a resident of an affected county, other than a
3 vehicle that is exempt under paragraph (a)(6) or (a)(7),
4 is subject to inspection under the program.

5 The Agency shall send notice of the assigned
6 inspection month, at least 15 days before the beginning of
7 the assigned month, to the owner of each vehicle subject
8 to the program. An initial emission inspection sticker or
9 initial inspection certificate, as the case may be,
10 expires on the last day of the third month following the
11 month assigned by the Agency for the first inspection of
12 the vehicle. A renewal inspection sticker or certificate
13 expires on the last day of the third month following the
14 month assigned for inspection in the year in which the
15 vehicle's next inspection is required.

16 The Agency or its agent may issue an interim emission
17 inspection sticker or certificate for any vehicle subject
18 to inspection that does not have a currently valid
19 emission inspection sticker or certificate at the time the
20 Agency is notified by the Secretary of State of its
21 registration by a new owner, and for which an initial
22 emission inspection sticker or certificate has already
23 been issued. An interim emission inspection sticker or
24 certificate expires no later than the last day of the
25 sixth complete calendar month after the date the Agency
26 issued the interim emission inspection sticker or

1 certificate.

2 The owner of each vehicle subject to inspection shall
3 obtain an emission inspection sticker or certificate for
4 the vehicle in accordance with this paragraph (1). Before
5 the expiration of the emission inspection sticker or
6 certificate, the owner shall have the vehicle inspected
7 and, upon demonstration of compliance, obtain a renewal
8 emission inspection sticker or certificate. A renewal
9 emission inspection sticker or certificate shall not be
10 issued more than 5 months before the expiration date of
11 the previous inspection sticker or certificate.

12 (2) Except as provided in paragraph (a)(3), vehicles
13 shall be inspected every 2 years on a schedule that begins
14 either in the second, fourth, or later calendar year after
15 the vehicle model year. The beginning test schedule shall
16 be set by the Agency and shall be consistent with the
17 State's requirements for emission reductions as determined
18 by the applicable United States Environmental Protection
19 Agency vehicle emissions estimation model and applicable
20 guidance and rules.

21 (3) A vehicle may be inspected at a time outside of its
22 normal 2-year inspection schedule, if (i) the vehicle was
23 acquired by a new owner and (ii) the vehicle was required
24 to be in compliance with this Act at the time the vehicle
25 was acquired by the new owner, but it was not then in
26 compliance.

1 (4) The owner of a vehicle subject to inspection shall
2 have the vehicle inspected and shall obtain and display on
3 the vehicle or carry within the vehicle, in a manner
4 specified by the Agency, a valid unexpired emission
5 inspection sticker or certificate in the manner specified
6 by the Agency. A person who violates this paragraph (4) is
7 guilty of a petty offense, except that a third or
8 subsequent violation within one year of the first
9 violation is a Class C misdemeanor. The fine imposed for a
10 violation of this paragraph (4) shall be not less than \$50
11 if the violation occurred within 60 days following the
12 date by which a new or renewal emission inspection sticker
13 or certificate was required to be obtained for the
14 vehicle, and not less than \$300 if the violation occurred
15 more than 60 days after that date.

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

18 (A) A vehicle registered in and subject to the
19 emission inspections requirements of another state.

20 (B) A vehicle presented for inspection on a
21 voluntary basis.

22 Any fees collected under this paragraph (5) shall not
23 offset Motor Fuel Tax Funds normally appropriated for the
24 program.

25 (6) The following vehicles are not subject to
26 inspection:

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

4 (B) Motorcycles, motor driven cycles, and
5 motorized pedalcycles.

6 (C) Farm vehicles and implements of husbandry.

7 (D) Implements of warfare owned by the State or
8 federal government.

9 (E) Antique vehicles, expanded-use antique
10 vehicles, custom vehicles, street rods, and vehicles
11 of model year 1967 or before.

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

16 (G) Vehicles for which the Secretary of State,
17 under Section 3-117 of this Code, has issued a Junking
18 Certificate.

19 (H) Diesel powered vehicles and vehicles that are
20 powered exclusively by electricity.

21 (I) Vehicles operated exclusively in organized
22 amateur or professional sporting activities, as
23 defined in Section 3.310 of the Environmental
24 Protection Act.

25 (J) Vehicles registered in, subject to, and in
26 compliance with the emission inspection requirements

1 of another state.

2 (K) Vehicles participating in an OBD continuous
3 monitoring program operated in accordance with
4 procedures adopted by the Agency.

5 (L) Vehicles of model year 1995 or earlier that do
6 not have an expired emissions test sticker or
7 certificate on February 1, 2007.

8 (M) Roadable aircraft.

9 The Agency may issue temporary or permanent exemption
10 stickers or certificates for vehicles temporarily or
11 permanently exempt from inspection under this paragraph
12 (6). An exemption sticker or certificate does not need to
13 be displayed.

14 (7) According to criteria that the Agency may adopt, a
15 motor vehicle may be exempted from the inspection
16 requirements of this Section by the Agency on the basis of
17 an Agency determination that the vehicle is located and
18 primarily used outside of the affected counties or in
19 other jurisdictions where vehicle emission inspections are
20 not required. The Agency may issue an annual exemption
21 sticker or certificate without inspection for any vehicle
22 exempted from inspection under this paragraph (7).

23 (8) Any owner or lessee of a fleet of 15 or more motor
24 vehicles that are subject to inspection under this Section
25 may apply to the Agency for a permit to establish and
26 operate a private official inspection station in

1 accordance with rules adopted by the Agency.

2 (9) Pursuant to Title 40, Section 51.371 of the Code
3 of Federal Regulations, the Agency may establish a program
4 of on-road testing of in-use vehicles through the use of
5 remote sensing devices. In any such program, the Agency
6 shall evaluate the emission performance of 0.5% of the
7 subject fleet or 20,000 vehicles, whichever is less. Under
8 no circumstances shall on-road testing include any sort of
9 roadblock or roadside pullover or cause any type of
10 traffic delay. If, during the course of an on-road
11 inspection, a vehicle is found to exceed the on-road
12 emissions standards established for the model year and
13 type of vehicle, the Agency shall send a notice to the
14 vehicle owner. The notice shall document the occurrence
15 and the results of the on-road exceedance. The notice of a
16 second on-road exceedance shall indicate that the vehicle
17 has been reassigned and is subject to an out-of-cycle
18 follow-up inspection at an official inspection station. In
19 no case shall the Agency send a notice of an on-road
20 exceedance to the owner of a vehicle that was found to
21 exceed the on-road emission standards established for the
22 model year and type of vehicle, if the vehicle is
23 registered outside of the affected counties.

24 (b) Registration Denial Inspection and Notification.

25 (1) No later than January 1, 2008, every motor vehicle
26 that is owned by a resident of an affected county, other

1 than a vehicle that is exempt under paragraph (b) (8) or
2 (b) (9), is subject to inspection under the program.

3 The owner of a vehicle subject to inspection shall
4 have the vehicle inspected and obtain proof of compliance
5 from the Agency in order to obtain or renew a vehicle
6 registration for a subject vehicle.

7 The Secretary of State shall notify the owner of a
8 vehicle subject to inspection of the requirement to have
9 the vehicle tested at least 30 days prior to the beginning
10 of the month in which the vehicle's registration is due to
11 expire. Notwithstanding the preceding, vehicles with
12 permanent registration plates shall be notified at least
13 30 days prior to the month corresponding to the date the
14 vehicle was originally registered. This notification shall
15 clearly state the vehicle's test status, based upon the
16 vehicle type, model year and registration address.

17 The owner of each vehicle subject to inspection shall
18 have the vehicle inspected and, upon demonstration of
19 compliance, obtain an emissions compliance certificate for
20 the vehicle.

21 (2) Except as provided in paragraphs (b) (3), (b) (4),
22 and (b) (5), vehicles shall be inspected every 2 years on a
23 schedule that begins in the fourth calendar year after the
24 vehicle model year. Even model year vehicles shall be
25 inspected and comply in order to renew registrations
26 expiring in even calendar years and odd model year

1 vehicles shall be inspected and comply in order to renew
2 registrations expiring in odd calendar years.

3 (3) A vehicle shall be inspected and comply at a time
4 outside of its normal 2-year inspection schedule if (i)
5 the vehicle was acquired by a new owner and (ii) the
6 vehicle had not been issued a Compliance Certificate
7 within one year of the date of application for the title or
8 registration, or both, for the vehicle.

9 (4) Vehicles with 2-year registrations shall be
10 inspected every 2 years at the time of registration
11 issuance or renewal on a schedule that begins in the
12 fourth year after the vehicle model year.

13 (5) Vehicles with permanent vehicle registration
14 plates shall be inspected every 2 years on a schedule that
15 begins in the fourth calendar year after the vehicle model
16 year in the month corresponding to the date the vehicle
17 was originally registered. Even model year vehicles shall
18 be inspected and comply in even calendar years, and odd
19 model year vehicles shall be inspected and comply in odd
20 calendar years.

21 (6) The Agency and the Secretary of State shall
22 endeavor to ensure a smooth transition from test
23 scheduling from the provisions of subsection (a) to
24 subsection (b). Passing tests and waivers issued prior to
25 the implementation of this subsection (b) may be utilized
26 to establish compliance for a period of one year from the

1 date of the emissions or waiver inspection.

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

4 (A) A vehicle registered in and subject to the
5 emissions inspections requirements of another state.

6 (B) A vehicle presented for inspection on a
7 voluntary basis.

8 Any fees collected under this paragraph (7) shall not
9 offset Motor Fuel Tax Funds normally appropriated for the
10 program.

11 (8) The following vehicles are not subject to
12 inspection:

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

16 (B) Motorcycles, motor driven cycles, and
17 motorized pedalcycles.

18 (C) Farm vehicles and implements of husbandry.

19 (D) Implements of warfare owned by the State or
20 federal government.

21 (E) Antique vehicles, expanded-use antique
22 vehicles, custom vehicles, street rods, and vehicles
23 of model year 1967 or before.

24 (F) Vehicles operated exclusively for parade or
25 ceremonial purposes by any veterans, fraternal, or
26 civic organization, organized on a not-for-profit

1 basis.

2 (G) Vehicles for which the Secretary of State,
3 under Section 3-117 of this Code, has issued a Junking
4 Certificate.

5 (H) Diesel powered vehicles and vehicles that are
6 powered exclusively by electricity.

7 (I) Vehicles operated exclusively in organized
8 amateur or professional sporting activities, as
9 defined in Section 3.310 of the Environmental
10 Protection Act.

11 (J) Vehicles registered in, subject to, and in
12 compliance with the emission inspection requirements
13 of another state.

14 (K) Vehicles participating in an OBD continuous
15 monitoring program operated in accordance with
16 procedures adopted by the Agency.

17 (L) Vehicles of model year 1995 or earlier that do
18 not have an expired emissions test sticker or
19 certificate on February 1, 2007.

20 (M) Vehicles of model year 2006 or earlier with a
21 manufacturer gross vehicle weight rating between 8,501
22 and 14,000 pounds.

23 (N) Vehicles with a manufacturer gross vehicle
24 weight rating greater than 14,000 pounds.

25 (O) Roadable aircraft.

26 The Agency may issue temporary or permanent exemption

1 certificates for vehicles temporarily or permanently
2 exempt from inspection under this paragraph (8). An
3 exemption sticker or certificate does not need to be
4 displayed.

5 (9) According to criteria that the Agency may adopt, a
6 motor vehicle may be exempted from the inspection
7 requirements of this Section by the Agency on the basis of
8 an Agency determination that the vehicle is located and
9 primarily used outside of the affected counties and in
10 other jurisdictions where vehicle emissions inspections
11 are not required. The Agency may issue an annual exemption
12 certificate without inspection for any vehicle exempted
13 from inspection under this paragraph (9).

14 (10) Any owner or lessee of a fleet of 15 or more motor
15 vehicles that are subject to inspection under this Section
16 may apply to the Agency for a permit to establish and
17 operate a private official inspection station in
18 accordance with rules adopted by the Agency.

19 (11) Pursuant to Title 40, Section 51.371 of the Code
20 of Federal Regulations, the Agency may establish a program
21 of on-road testing of in-use vehicles through the use of
22 remote sensing devices. In any such program, the Agency
23 shall evaluate the emission performance of 0.5% of the
24 subject fleet or 20,000 vehicles, whichever is less. Under
25 no circumstances shall on-road testing include any sort of
26 roadblock or roadside pullover or cause any type of

1 traffic delay. If, during the course of an on-road
2 inspection, a vehicle is found to exceed the on-road
3 emissions standards established for the model year and
4 type of vehicle, the Agency shall send a notice to the
5 vehicle owner. The notice shall document the occurrence
6 and the results of the on-road exceedance. The notice of a
7 second on-road exceedance shall indicate that the vehicle
8 has been reassigned and is subject to an out-of-cycle
9 follow-up inspection at an official inspection station. In
10 no case shall the Agency send a notice of an on-road
11 exceedance to the owner of a vehicle that was found to
12 exceed the on-road emissions standards established for the
13 model year and type of vehicle, if the vehicle is
14 registered outside of the affected counties.

15 (Source: P.A. 97-106, eff. 2-1-12; 97-412, eff. 1-1-12;
16 97-813, eff. 7-13-12.)