

**SB2126**



**94TH GENERAL ASSEMBLY**

**State of Illinois**

**2005 and 2006**

**SB2126**

Introduced 10/19/2005, by Sen. Edward Petka

**SYNOPSIS AS INTRODUCED:**

625 ILCS 5/13B-15

Amends the Illinois Vehicle Code. Provides that vehicles more than 25 years old are exempt from emissions testing under the Vehicle Emissions Inspection Law of 1995. Effective immediately.

LRB094 13473 DRH 48333 b

**A BILL FOR**

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 Illinois Vehicle Code is amended by changing  
5 Section 13B-15 as follows:

6 (625 ILCS 5/13B-15)

7 Sec. 13B-15. Inspections.

8 (a) Beginning with the implementation of the program  
9 required by this Chapter, every motor vehicle that is owned by  
10 a resident of an affected county, other than a vehicle that is  
11 exempt under subsection (f) or (g), is subject to inspection  
12 under the program.

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

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

32 The Agency or its agent may issue an interim emission

1 inspection sticker or certificate for any vehicle subject to  
2 inspection that does not have a currently valid emission  
3 inspection sticker or certificate at the time the Agency is  
4 notified by the Secretary of State of its registration by a new  
5 owner, and for which an initial emission inspection sticker or  
6 certificate has already been issued. Interim emission  
7 inspection stickers or certificates expire no later than the  
8 last day of the sixth complete calendar month after the date  
9 the Agency issued the interim emission inspection sticker or  
10 certificate.

11 The owner of each vehicle subject to inspection shall  
12 obtain an emission inspection sticker or certificate for the  
13 vehicle in accordance with this subsection. Before the  
14 expiration of the emission inspection sticker or certificate,  
15 the owner shall have the vehicle inspected and, upon  
16 demonstration of compliance, obtain a renewal emission  
17 inspection sticker or certificate. A renewal emission  
18 inspection sticker or certificate shall not be issued more than  
19 5 months before the expiration date of the previous inspection  
20 sticker or certificate.

21 (b) Except as provided in subsection (c), vehicles shall be  
22 inspected every 2 years on a schedule that begins either in the  
23 second, fourth, or later calendar year after the vehicle model  
24 year. The beginning test schedule shall be set by the Agency  
25 and shall be consistent with the State's requirements for  
26 emission reductions as determined by the applicable United  
27 States Environmental Protection Agency vehicle emissions  
28 estimation model and applicable guidance and rules.

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

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

1 the manner specified by the Agency.

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

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

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

16 (B) Federally owned vehicles operated in affected  
17 counties.

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

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

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

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

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

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

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

32 (3) Farm vehicles and implements of husbandry.

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

35 (5) Antique vehicles, custom vehicles, street rods,  
36 and vehicles more than 25 years old ~~of model year 1967 or~~

1 ~~before.~~

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

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

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

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

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

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

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

30 (h) Any owner or lessee of a fleet of 15 or more motor  
31 vehicles which are subject to inspection under this Section may  
32 apply to the Agency for a permit to establish and operate a  
33 Private Official Inspection Station.

34 (i) Pursuant to Title 40, Section 51.371 of the Code of  
35 Federal Regulations, the Agency shall establish a program of  
36 on-road testing of in-use vehicles through the use of remote

1 sensing devices. The Agency shall evaluate the emission  
2 performance of 0.5% of the subject fleet or 20,000 vehicles,  
3 whichever is less. Under no circumstances shall on-road testing  
4 include any sort of roadblock or roadside pullover or cause any  
5 type of traffic delay.

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

18 (Source: P.A. 92-668, eff. 1-1-03.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.