



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB1303

Introduced 2/20/2007, by Rep. Renee Kosel

#### SYNOPSIS AS INTRODUCED:

225 ILCS 225/5b

Amends the Private Sewage Disposal Licensing Act. Provides for the licensure of businesses (rather than persons) engaged in the pumping, hauling, and disposal of wastes removed from the sewage disposal systems of portable toilets and portable, potable handwashing units (now, just portable toilets) and the cleaning, sanitizing, and maintenance of portable toilets and portable, potable handwashing units. Requires the Department of Public Health to establish and issue a certificate of registration as a portable sanitation technician for any employee of a business licensed to maintain portable toilets and portable, potable handwashing units who engages in the servicing of portable toilets. Sets forth requirements for obtaining a certificate of registration. Removes a provision concerning designated persons. Makes related changes. Effective immediately.

LRB095 04813 RAS 24873 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Private Sewage Disposal Licensing Act is  
5 amended by changing Section 5b as follows:

6 (225 ILCS 225/5b)

7 Sec. 5b. Licensure required for the maintenance of ~~pumping,~~  
8 ~~hauling, and disposal of wastes from~~ portable toilets and  
9 potable handwashing units; cleanliness standards.

10 (a) The Department shall by rule, establish and issue a  
11 separate license, independent of any other license issued under  
12 this Act, for the pumping, hauling, and disposal of wastes  
13 removed from the sewage disposal systems of portable toilets  
14 and portable, potable handwashing units and the cleaning,  
15 sanitizing, and maintenance of portable toilets and portable,  
16 potable handwashing units to qualified businesses ~~persons~~  
17 responsible for the pumping, hauling, and disposal of wastes  
18 removed from the sewage disposal systems of portable toilets  
19 and portable, potable handwashing units and the cleaning,  
20 sanitizing, and maintenance of portable toilets and portable,  
21 potable handwashing units. These rules shall concern, but not  
22 be limited to, all of the following areas:

23 (1) License duration and expiration, renewal,

1 reinstatement, and inactive status.

2 (2) All fees relating to initial licensure and renewal.

3 (3) Licensure application form and process.

4 (4) Violations and penalties.

5 (5) Exemptions and waivers.

6 (6) Ventilation, safety, and security requirements of  
7 portable toilet units and the sewage disposal systems of  
8 portable toilet units.

9 (a-5) The Department shall by rule, establish and issue a  
10 certificate of registration as a portable sanitation  
11 technician for any employee of a business licensed under this  
12 Section who engages in the servicing of portable toilets.  
13 Beginning 6 months after the effective date of this amendatory  
14 Act of the 95th General Assembly, no person may engage in the  
15 servicing of portable toilets in a manner that does not comply  
16 with the requirements of this Act and the rules established by  
17 the Department under this Act concerning the issuance of a  
18 certificate of registration as a portable sanitation  
19 technician. Any applicant for a certificate of registration  
20 under this subsection (a-5) must, in addition to any other  
21 requirements set forth by the Department, attend a minimum  
22 safety training session conducted by the licensee. Prior to a  
23 registrant's initial renewal of his or her certificate of  
24 registration, the registrant must complete a certification  
25 program approved by the Department.

26 (b) Beginning 6 months after the date of the adoption of

1 Department rules concerning the establishment and issuance of a  
2 license for the pumping, hauling, and disposal of wastes  
3 removed from the sewage disposal systems of portable toilets,  
4 no person may engage in the pumping, hauling, or disposal of  
5 wastes removed from the sewage disposal systems of portable  
6 toilets in a manner that does not comply with the requirements  
7 of this Act and the rules established by the Department under  
8 this Act concerning the pumping, hauling, and disposal of  
9 wastes removed from the sewage disposal systems of portable  
10 toilets. Beginning 6 months after the date of this amendatory  
11 Act of the 95th General Assembly, no person or business may  
12 engage in the pumping, hauling, and disposal of wastes removed  
13 from the sewage disposal systems of portable, potable  
14 handwashing units and the cleaning, sanitizing, and  
15 maintenance of portable toilets and portable, potable  
16 handwashing units without being licensed or certified under  
17 this Section.

18 (c) The Department shall require the successful completion  
19 of an examination, prescribed by the Department, prior to  
20 licensure. The Department may accept the Portable Sanitation  
21 Association International's Health and Safety Certification  
22 Program as an acceptable educational and testing program.

23 (d) The Department shall consider and make any necessary  
24 amendments to the private sewage disposal code in relation to a  
25 license issued for the pumping, hauling, and disposal of wastes  
26 removed from the sewage disposal systems of portable toilets

1 and portable, potable handwashing units and the cleaning,  
2 sanitizing, and maintenance of portable toilets and portable,  
3 potable handwashing units.

4 (e) The Department shall establish and enforce standards of  
5 cleanliness for companies that sell, lease, rent, or otherwise  
6 maintain portable toilet units and portable, potable  
7 handwashing units for commercial purposes, which shall  
8 include, but not be limited to, the following requirements:

9 (1) Each unit shall be thoroughly cleaned at each  
10 pumping, including all parts of the unit, which are the  
11 urinal, tank, walls, floors, door, and roof.

12 (2) Soap or anti-bacterial hand cleaner and paper  
13 products shall be refilled in each unit at each pumping, if  
14 required.

15 (3) After a unit is cleaned, it shall be inspected to  
16 ensure compliance with Department rules concerning the  
17 ventilation, safety, and security of the unit.

18 (4) A company shall designate at least one  
19 representative who shall be responsible for ensuring that  
20 each unit maintained by the company meets the standards of  
21 cleanliness set forth in this subsection (d) and any  
22 additional standards established by the Department.  
23 ~~Companies that have designated a person to clean units may~~  
24 ~~not designate the same person the responsibility of~~  
25 ~~ensuring unit compliance with the standards of~~  
26 ~~cleanliness.~~

1           (5) Those persons engaging in cleaning units shall wear  
2           protective equipment and be trained in proper procedures  
3           for sanitation and self-protection.

4           (Source: P.A. 94-138, eff. 7-7-05.)

5           Section 99. Effective date. This Act takes effect upon  
6           becoming law.