

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 Department of Transportation Law of the
5 Civil Administrative Code of Illinois is amended by changing
6 Section 2705-215 as follows:

7 (20 ILCS 2705/2705-215) (was 20 ILCS 2705/49.27)

8 Sec. 2705-215. Cooperative utilization of equipment and
9 services of governmental entities and not-for-profit
10 organizations for the transportation needs in public service
11 programs.

12 (a) The Department is directed to encourage and assist
13 governmental entities, not-for-profit corporations, and
14 nonprofit community service associations, between or among
15 themselves, in the development of reasonable utilization of
16 transportation equipment and operational service in satisfying
17 the general and specialized public transportation needs.

18 The Department shall develop and encourage cooperative
19 development, among all entities, of programs promoting
20 efficient service and conservation of capital investment and
21 energy and shall assist all entities in achieving their goals
22 and in their applications for transportation grants under
23 appropriate State or federal programs.

1 (b) Implementation of cooperative programs is to be
2 developed within the meaning of the provisions of the
3 Intergovernmental Cooperation Act. In the circumstances of
4 nongovernmental entities, the Department shall be guided by
5 that Act and any other State law in encouraging the cooperative
6 programs between those entities.

7 (c) The Department shall report to the members of the
8 General Assembly, by March 1 of each year, its successes,
9 failures and progress in achieving the intent of this Section.
10 The report shall also include identification of problems as
11 well as the Department's recommendations.

12 (d) The General Assembly finds as follows:

13 (i) Federal regulation 23 CFR 637 requires
14 contractors, consultants, local agencies, and Department
15 personnel performing materials acceptance sampling and
16 testing on Federal-aid projects on the National Highway
17 System be qualified.

18 (ii) The Illinois Department of Transportation offers
19 Quality Control/Quality Assurance courses and specific
20 task training programs in order to meet the educational
21 requirements for qualified personnel.

22 (iii) All personnel who successfully complete the
23 required Quality Control/Quality Assurance courses or the
24 specific task training programs and have been entered into
25 departmental databases are considered qualified.

26 (iv) The laws of this State do not require that all

1 Quality Control/Quality Assurance courses be completed at
2 Illinois Department of Transportation facilities. Proper
3 training, however, is an integral component to the success
4 of the Quality Control/Quality Assurance program.

5 (v) Due to inherent differences in administering local
6 projects, and due to the administrative burdens that are
7 imposed when enforcing quality standards, a proper system
8 of training is necessary to ensure laboratories remain
9 qualified to adequately teach and train contractors,
10 consultants, local agencies, and Department personnel at
11 these facilities.

12 (vi) Only a minimal number of facilities meet these
13 standards and are able to competently teach and train
14 qualified sampling and testing personnel.

15 In order to ensure that only competent training is
16 available, it is the intent of the General Assembly to limit
17 the certification of apprenticeship programs to those that meet
18 minimal standards and that are able to competently teach and
19 train. It is also the intent of the General Assembly to require
20 that all training managers satisfy Quality Control/Quality
21 Assurance standards, and that all training facilities and
22 apprenticeship programs in this State conform to the safety
23 standards imposed by the laws and regulations of this State and
24 the laws and regulations of the federal government.

25 The Department shall certify an apprenticeship program as
26 able to teach and train its own members for any quality

1 assurance and quality control certifications issued by the
2 Department if the apprenticeship program meets the following
3 requirements:

4 (1) the program is a United States Department of Labor
5 apprenticeship program conducted by a joint labor
6 management board that is regulated under the Labor
7 Management Relations Act, 29 U.S.C. 141 et seq.; and

8 (2) the program is conducted at a training facility
9 that was established prior to January 1, 2008.

10 The Department shall certify the curricula for the quality
11 assurance quality control program and shall make available all
12 course curricula, teaching aids, syllabi, and other materials
13 necessary for instruction of courses described by this
14 subsection (d).

15 The Department may administer any testing or certify a
16 third party to administer and certify any testing, provided
17 that the entity is independent of and not an affiliate of the
18 United States Department of Labor apprenticeship programs
19 identified in this subsection (d).

20 If the Department does not administer the testing, the
21 Department and the apprenticeship program shall mutually agree
22 upon a third party to administer the testing. The third party
23 shall provide testers upon being given 10 days' notice.

24 (Source: P.A. 91-239, eff. 1-1-00.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.