**Section 451.120 Responsibilities of Official Testing Station Owner**

a) The owner shall require all CSTs to comply with this Part.

b) The owner shall be responsible for all practices and procedures in the Station, including, but not limited to, any certified or non-certified personnel allowed to perform vehicle safety tests while in the employ, direction or control of the owner. The owner is responsible for all safety test practices and procedures in the Station, regardless of whether the owner has knowledge or approves of such practices and procedures.

c) The Station owner is responsible for his own conduct and behavior and that of his station's employees. No station owner or employee shall harass or intimidate any officer of the Department.

d) No Station owner shall allow the rates charged to be more or less than the scheduled rates approved by the Department and posted at the OTS. If a rate increase has been approved by the CVSS, the higher rate cannot be charged until the new fee schedule has been posted at the OTS.

e) No Station owner shall allow any repairs or adjustments to be initiated without the express permission of the vehicle owner or driver. Station owners shall only allow labor charges to be assessed for specific mechanical work performed.

f) No Station owner shall allow any additional administrative charges (e.g., billing charges) to be assessed against the vehicle owner or driver.

g) Nothing in this Section shall be construed to mean that any adjustment, correction or repair must be made at the Station performing the safety test.

h) It shall be the owner's responsibility to notify the CVSS immediately of any change in ownership, business name, location or status. Such changes include incorporation of the firm, change in corporate officers or dissolution of partnership or corporation. Any such change without immediate notification shall automatically cancel the existing Permit.

i) The owner of an Official Testing Station shall notify the CVSS in writing when he or his employees wish to make application to become a CST. The letter of request must include the applicant's:

1) Full name;

2) Date of birth;

3) Driver's license number; and

4) Photo which measures at least two inches by two inches but no more than three inches by three inches.

j) If a Station is required to have testing equipment, the owner is responsible for the training of employees on the equipment and testing procedures before the employee is tested by Department personnel to become a CST.

k) It shall be the owner's responsibility to immediately notify the CVSS when neither he nor any of his employees is eligible to test vehicles. Failure to have at least one employee who is a CST automatically suspends the Official Testing Station Permit until such time as the owner or an employee becomes certified. The owner shall immediately notify the CVSS of the OTS closure and subsequent reopening. If the OTS is closed for more than 30 days, Department personnel must reopen the lane.

l) It shall be the owner's responsibility to notify the CVSS at least ten days prior to any scheduled voluntary OTS closing (e.g., vacations, periodic equipment maintenance).

m) If a Station is required to have testing equipment, the owner is responsible for maintaining the equipment in proper calibration and working order and for maintaining the Station and lane(s) and designated testing area in proper condition as required in this Part.

n) If a Station is required to have testing equipment, it shall be the owner's responsibility to close the Station when any piece of testing equipment malfunctions.

1) Equipment malfunctions and subsequent closure shall be reported immediately to the CVSS.

2) Testing shall not be resumed until repairs are completed and approval is secured from the Department inspector to resume testing. The Department's inspector will confirm that the testing equipment is working in accordance with the manufacturer's specifications as authorized by Section 12-812 of the Illinois Vehicle Equipment Law.

3) If a rejected vehicle returns to a closed OTS for retest of a component requiring use of the defective testing equipment, the test fee shall be refunded.

o) Upon receipt of any addition, deletion or other notification of change issued by the Department, it shall be the owner's responsibility to file updates to their copy of this Part. The complete and current copy of this Part shall be kept at the Official Testing Station and shall be made available to all CSTs at all times.

p) It will be the owner's responsibility to bring to the attention of all employees who work with any part of the Official Testing Station any material disseminated by the CVSS, including, but not limited to, changes, additions and deletions to this Part. Employees are to be made aware of any disciplinary actions taken against the Station by the CVSS.

q) It shall be the owner's responsibility to maintain a supply of all forms needed in the operation of the Official Testing Station. The necessary forms are obtained from the Department by submitting an order on the form or forms prescribed by the CVSS. The inventory of forms will be subject to inspection by Department personnel on the premises of the Official Testing Station.

r) It shall be the owner's responsibility to ensure that he, as well as his employees, utilize the proper and current forms. The forms shall be completed correctly and legibly and shall be submitted to the Department by the owner or owner's authorized personnel as set forth in this Part.

s) It shall be the owner's responsibility to maintain a supply of Certificates of Safety and numerical insert decals to accommodate any type vehicles, including rebuilt and interstate, the OTS is authorized to test and which is presented for original inspection or any type vehicle the OTS is authorized to test and which has been returned for retest. If the Station does not have a supply of Certificates and numerical insert decals to issue to a rejected vehicle returning for retest, the test fee shall be refunded to the vehicle owner.

t) The owner shall be responsible for the proper security, distribution in sequential order by cycle and handling of the Certificates of Safety.

u) If a Station is required to have testing equipment, it shall be the owner's responsibility to immediately notify the CVSS of any change in equipment, regardless of whether the OTS's classification is affected.

v) It shall be the owner's responsibility to provide funds to cover the cost of any Certificate of Safety order submitted, either through transmittal of appropriate funds or through use of a previously established credit balance.

w) If as the result of an Administrative Hearing an Official Testing Station Permit is suspended, performance of any and all vehicle inspection activities shall be prohibited for the duration of the suspension. It shall be the owner's responsibility to surrender the OTS Permit, Certificates of Safety and other related supplies requested by authorized personnel of the Department on the date the suspension begins. The owner shall be responsible for making certain all employees honor the terms of the suspension.

(Source: Amended at 17 Ill. Reg. 12839, effective July 27, 1993)