**Section 460.110 Definitions**

As used in this Part:

 *"Affected Areas" means the counties of Cook, DuPage, Lake, Kane, McHenry, Will, Madison, St. Clair, and Monroe and the townships of Aux Sable and Goose Lake in Grundy County and the township of Oswego in Kendall County*. [625 ILCS 5/13-100.1]

 "Applicant" means any individual Owner, partners, authorized agent of a corporation, or lessee applying for an Official Testing Station Permit.

 "Authorized Diesel Emission Inspection Equipment" means those testing and measuring devices approved and required by the Department's Commercial Vehicle Safety Section for applicable Official Testing Stations' diesel emission inspection procedures.

 "Authorized Representative of the Department" means vehicle compliance inspectors and administrative personnel employed by the Illinois Department of Transportation.

 "Certified Diesel Emission Tester (CDET)" means an individual who is employed at an Official Testing Station and who has passed a written exam and who has demonstrated proficiency by operating and calibrating the authorized diesel emission inspection equipment and who has been issued a certificate by the Department.

 "Certified Safety Tester (CST)" means an individual who is employed at an Official Testing Station and who has passed a written exam and who has demonstrated proficiency in the operation of authorized safety test equipment and who has been issued a certificate by the Department.

 "Code" means the Illinois Vehicle Code [625 ILCS 5].

 "Commercial Vehicle Safety Section (CVSS)" means a section of the Bureau of Safety Programs of the Division of Traffic Safety of the Illinois Department of Transportation.

 "Cutpoint Standards" means criteria established in the United States Environmental Protection Agency document "Guidance to States on Smoke Opacity Cutpoints to be used with the SAE J1667 In-Use Smoke Test Procedure." (See Section 460.140 for cutpoint standards.)

 "Department" *means the Department of Transportation of the State of Illinois, acting directly or through its authorized agents or officers*. [625 ILCS 5/13-100]

 "Diesel Emission Inspection Certificate of Waiver for Failing Inspection and Reinspection" means a certificate issued in accordance with Section 460.600 of this Part to the owner/operator of a vehicle that has failed a diesel emission inspection and reinspection but who has complied with all applicable waiver requirements in accordance with Section 460.600.

 "Diesel Emission Inspection Certificate of Waiver for an Ungoverned Vehicle" means a certificate issued in accordance with Section 460.605 of this Part to the owner/operator of a vehicle whose motor was manufactured ungoverned but who has complied with all applicable waiver requirements in accordance with Section 460.605.

 "Diesel Emission Inspection Compliance Card" means the document presented to the vehicle owner/operator if his/her vehicle passes a diesel emission inspection. The card is validated by the presence of the Validation Certificate that is attached to the card in the form of an adhesive sticker and is required to be present in the cab of the vehicle.

 "Diesel Emission Inspection 30-Day Warning Notice" means the document presented to the vehicle owner/operator if the vehicle fails the diesel emission inspection. The vehicle's owner/operator is required to return to the Station within 30 days for a reinspection.

 "Diesel Emission Inspection Equipment" means the equipment required to be used by the Certified Diesel Emission Tester to inspect a diesel-powered vehicle and to submit the results of the inspection to the Department. The equipment includes, but is not limited to, the Department-approved smoke opacimeter, a workstation (i.e., laptop computer), and printer tape.

 "Diesel Emission Inspection Official Testing Stations" means those Stations located within the affected areas that participate in the Diesel Emission Inspection Program.

 "Diesel Emission Inspection Supplies (Supplies)" means all items issued to an Official Testing Station by the Commercial Vehicle Safety Section in order to conduct a diesel emission inspection. Items include, but are not limited to, Diesel Emission Inspection Compliance Cards, Diesel Emission Inspection 30-Day Warning Notices, and Validation Certificates. All supplies remain the property of the Commercial Vehicle Safety Section.

 "Diesel-Powered Vehicle" or "Diesel Vehicle" means a motor vehicle registered for a gross weight of more than 16,000 pounds, powered by an internal combustion, compression ignition, diesel fueled engine.

 "Diesel Smoke" means particles, including aerosols, suspended in the exhaust stream of a diesel engine that absorb, reflect, or refract light.

 "Director" means the Director of the Division of Traffic Safety for the Illinois Department of Transportation.

 "Division" means the Division of Traffic Safety for the Illinois Department of Transportation.

 "Effective Optical Path Length (L)" means the length of the smoke-obscured optical path between the smoke opacimeter light source and detector.

 "Emergency Vehicle" means vehicles of municipal departments or public service corporations that are designated or authorized as such by proper local authorities, including, but not limited to, police vehicles, vehicles of fire departments and ambulances.

 "Emission Control Devices" means those components of a vehicle that were designed and are used to control vehicle exhaust and evaporative system emissions. For purposes of this Part, this term refers to components with which the vehicle was originally equipped or direct replacements.

 *"Gross Weight"* *means the weight of a vehicle whether operated singly or in combination without load plus weight of the load thereon*. [625 ILCS 5/1-125]

 *"Gross Vehicle Weight Rating (GVWR)" means the value specified by the manufacturer or manufacturers as the maximum loaded weight of a single vehicle.* [625 ILCS 5/1-124.5]

 "Illinois Vehicle Inspection Law (the Law)" means 625 ILCS 5/Ch. 13.

 "Intrastate Carrier of Passengers" means any person engaged in the transportation of passengers solely within Illinois.

 "Intrastate Carrier of Property" means any person engaged in the transportation of property solely within Illinois.

 "Interstate Carrier of Passengers" means any person engaged in the transportation of passengers between a place in a state and a place outside of such state or between two places in a state through another state or a place outside the United States.

 "Manufacturer" (unless otherwise indicated at the point of use) means the person or organization whose name follows "MANUFACTURED BY" or "MFD BY" on the federal certification label.

 *"Model Year"* *means the year of manufacture of a vehicle based upon the annual production period of the vehicle as designated by the manufacturer and indicated on the title and registration of the vehicle. If the manufacturer does not designate a production period for the vehicle, then "model year" means the calendar year of manufacture*. [625 ILCS 5/1-144.05]

 "Non-exempt Vehicle" means any vehicle subject to diesel emission inspections as required by this Part.

 "Official Testing Station(s) (the Station)" means all contiguous real and personal property that houses the equipment and supplies relating to the diesel emission inspection of vehicles. Official Testing Stations are privately-owned businesses that are regulated by the Department. Official Testing Stations are classified as either public or private. Public Stations are open to the public. Private Stations are established by companies for the purpose of inspecting vehicles owned or operated by the company. Private Stations are not open to the public.

 "Official Testing Station Permit (Permit)" means evidence issued by the Commercial Vehicle Safety Section granting the Owner named thereon the privilege of serving as an agent of the State of Illinois within the limitations set forth in Section 13-103 of the Law.

 "Opacity (N)" means the percentage of light transmitted from a source that is prevented from reaching a light detector.

 "Operated within the Affected Area" means any vehicle that is physically within the affected area at any time, whether stationary or in motion.

 *"Out-of-Service Order" means a temporary prohibition against driving a commercial motor vehicle.* [625 ILCS 5/1-154.5]

 "Owner" means any individual, partners, authorized agent of a corporation, lessee, or other person in whose name an Official Testing Station Permit has been issued. Such person(s) is responsible for the lawful operation of the Station's diesel emission inspection program.

 "Owner/Operator" means the person who presents the diesel-powered vehicle at the Station for inspection, commonly referred to as the vehicle's driver.

 "Part" means the regulations contained in this document that are located at 92 Ill. Adm. Code 460.

 *"Person" means every natural person, firm, copartnership, association or corporation.* [625 ILCS 5/1-159]

 "Rate or Charge" means the monetary charge (i.e., $30) authorized by 625 ILCS 5/13-106 to any person offering a vehicle for a diesel emission inspection pursuant to 625 ILCS 5/13-109.1.

 "Recognized Repair Technician" means a person professionally engaged in vehicle repair, employed by a company in operation whose purpose is vehicle repair, or possessing nationally recognized certification for emission related diagnosis and repair.

 "Secretary" means the Secretary of the Illinois Department of Transportation.

 "Smoke Density (K)" means a fundamental means of quantifying the ability of a smoke plume or smoke containing gas sample to obscure light.

 "Smoke Opacimeter" means a type of smokemeter designed to measure the opacity of a plume or sample of smoke by means of a light extinction principle.

 "Smokemeter Measurement Zone" means the effective length between the smokemeter light source and the light detector through which exhaust gases pass and interact with the smokemeter light beam.

 "Snap-Acceleration Inspection" means the method used to test a diesel-powered vehicle to determine the quality of diesel exhaust fumes being released into the atmosphere.

 "Station" means the Official Testing Station.

 "Transmittance (T)" means the fraction of light transmitted from a source that reaches a light detector.

 "Validation Certificate" means the sticker attached by the CDET to the Diesel Emission Inspection Compliance Card after the vehicle passes a diesel emission inspection.

(Source: Amended at 26 Ill. Reg. 8464, effective May 28, 2002)