**Section 460.510 Diesel Emission Inspection Out-of-Service Order**

a) If a vehicle has not passed a diesel emission reinspection within 30 days from the receipt of a 30-Day Warning Notice or has not obtained a waiver as prescribed in Section 460.600, the Department shall issue an Out-of-Service Order via certified mail to the person(s) or company owning or operating the vehicle in violation of this Part.

b) The Out-of-Service Order contains information identifying the owner/operator of the vehicle, information identifying the specific vehicle being placed out-of-service, the reason for the Order, the punishable fine of $1,000 for operating a vehicle that has been declared out-of-service, and a requirement that the vehicle pass a diesel emission reinspection before it may be returned to service.

c) The vehicle will remain out-of-service until the vehicle passes a diesel emission reinspection or the vehicle's owner/operator obtains a waiver as prescribed in Section 460.600.

d) The Department, without further notice to the owner/operator of a vehicle placed out-of-service, will also notify the Illinois Secretary of State, within three business days after receiving notice that a vehicle has been placed out-of-service, in writing or by electronic communication, that the vehicle is not in compliance with the provisions of Section 13-109.1 of the Illinois Vehicle Code. *The Illinois Secretary of State may* then *suspend or revoke the registration of* that *vehicle* [625 ILCS 5/3-704(b)] (see P.A. 92-0437, effective August 17, 2001) until such time as it is notified by the Department that the vehicle has either passed a diesel emission inspection or reinspection or has obtained a waiver as prescribed in Section 460.600. The Department will notify the Secretary of State within three business days after being notified that the vehicle passed or was waived by an Official Testing Station.

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