

HB1457



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB1457

by Rep. Lawrence Walsh, Jr.

SYNOPSIS AS INTRODUCED:

625 ILCS 5/13-101

from Ch. 95 1/2, par. 13-101

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning vehicle safety tests.

LRB101 08102 TAE 53166 b

A BILL FOR

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 Illinois Vehicle Code is amended by changing
5 Section 13-101 as follows:

6 (625 ILCS 5/13-101) (from Ch. 95 1/2, par. 13-101)

7 Sec. 13-101. Submission to safety test; certificate of
8 safety. To promote the safety of the ~~the~~ general public, every
9 owner of a second division vehicle, medical transport vehicle,
10 tow truck, first division vehicle including a taxi which is
11 used for a purpose that requires a school bus driver permit,
12 motor vehicle used for driver education training, or contract
13 carrier transporting employees in the course of their
14 employment on a highway of this State in a vehicle designed to
15 carry 15 or fewer passengers shall, before operating the
16 vehicle upon the highways of Illinois, submit it to a "safety
17 test" and secure a certificate of safety furnished by the
18 Department as set forth in Section 13-109. Each second division
19 motor vehicle that pulls or draws a trailer, semitrailer or
20 pole trailer, with a gross weight of 10,001 lbs or more or is
21 registered for a gross weight of 10,001 lbs or more, motor bus,
22 religious organization bus, school bus, senior citizen
23 transportation vehicle, and limousine shall be subject to

1 inspection by the Department and the Department is authorized
2 to establish rules and regulations for the implementation of
3 such inspections.

4 The owners of each salvage vehicle shall submit it to a
5 "safety test" and secure a certificate of safety furnished by
6 the Department prior to its salvage vehicle inspection pursuant
7 to Section 3-308 of this Code. In implementing and enforcing
8 the provisions of this Section, the Department and other
9 authorized State agencies shall do so in a manner that is not
10 inconsistent with any applicable federal law or regulation so
11 that no federal funding or support is jeopardized by the
12 enactment or application of these provisions.

13 However, none of the provisions of Chapter 13 requiring
14 safety tests or a certificate of safety shall apply to:

15 (a) farm tractors, machinery and implements, wagons,
16 wagon-trailers or like farm vehicles used primarily in
17 agricultural pursuits;

18 (b) vehicles other than school buses, tow trucks and
19 medical transport vehicles owned or operated by a municipal
20 corporation or political subdivision having a population
21 of 1,000,000 or more inhabitants and which are subject to
22 safety tests imposed by local ordinance or resolution;

23 (c) a semitrailer or trailer having a gross weight of
24 5,000 pounds or less including vehicle weight and maximum
25 load;

26 (d) recreational vehicles;

1 (e) vehicles registered as and displaying Illinois
2 antique vehicle plates and vehicles registered as
3 expanded-use antique vehicles and displaying expanded-use
4 antique vehicle plates;

5 (f) house trailers equipped and used for living
6 quarters;

7 (g) vehicles registered as and displaying Illinois
8 permanently mounted equipment plates or similar vehicles
9 eligible therefor but registered as governmental vehicles
10 provided that if said vehicle is reclassified from a
11 permanently mounted equipment plate so as to lose the
12 exemption of not requiring a certificate of safety, such
13 vehicle must be safety tested within 30 days of the
14 reclassification;

15 (h) vehicles owned or operated by a manufacturer,
16 dealer or transporter displaying a special plate or plates
17 as described in Chapter 3 of this Code while such vehicle
18 is being delivered from the manufacturing or assembly plant
19 directly to the purchasing dealership or distributor, or
20 being temporarily road driven for quality control testing,
21 or from one dealer or distributor to another, or are being
22 moved by the most direct route from one location to another
23 for the purpose of installing special bodies or equipment,
24 or driven for purposes of demonstration by a prospective
25 buyer with the dealer or his agent present in the cab of
26 the vehicle during the demonstration;

- 1 (i) pole trailers and auxiliary axles;
- 2 (j) special mobile equipment;
- 3 (k) vehicles properly registered in another State
4 pursuant to law and displaying a valid registration plate,
5 except vehicles of contract carriers transporting
6 employees in the course of their employment on a highway of
7 this State in a vehicle designed to carry 15 or fewer
8 passengers are only exempted to the extent that the safety
9 testing requirements applicable to such vehicles in the
10 state of registration are no less stringent than the safety
11 testing requirements applicable to contract carriers that
12 are lawfully registered in Illinois;
- 13 (l) water-well boring apparatuses or rigs;
- 14 (m) any vehicle which is owned and operated by the
15 federal government and externally displays evidence of
16 such ownership; and
- 17 (n) second division vehicles registered for a gross
18 weight of 10,000 pounds or less, except when such second
19 division motor vehicles pull or draw a trailer,
20 semi-trailer or pole trailer having a gross weight of or
21 registered for a gross weight of more than 10,000 pounds;
22 motor buses; religious organization buses; school buses;
23 senior citizen transportation vehicles; medical transport
24 vehicles; tow trucks; and any property carrying vehicles
25 being operated in commerce that are registered for a gross
26 weight of more than 8,000 lbs but less than 10,001 lbs.

1 The safety test shall include the testing and inspection of
2 brakes, lights, horns, reflectors, rear vision mirrors,
3 mufflers, safety chains, windshields and windshield wipers,
4 warning flags and flares, frame, axle, cab and body, or cab or
5 body, wheels, steering apparatus, and other safety devices and
6 appliances required by this Code and such other safety tests as
7 the Department may by rule or regulation require, for second
8 division vehicles, school buses, medical transport vehicles,
9 tow trucks, first division vehicles including taxis which are
10 used for a purpose that requires a school bus driver permit,
11 motor vehicles used for driver education training, vehicles
12 designed to carry 15 or fewer passengers operated by a contract
13 carrier transporting employees in the course of their
14 employment on a highway of this State, trailers, and
15 semitrailers subject to inspection.

16 For tow trucks, the safety test and inspection shall also
17 include the inspection of winch mountings, body panels, body
18 mounts, wheel lift swivel points, and sling straps, and other
19 tests and inspections the Department by rule requires for tow
20 trucks.

21 For driver education vehicles used by public high schools,
22 the vehicle must also be equipped with dual control brakes, a
23 mirror on each side of the vehicle so located as to reflect to
24 the driver a view of the highway for a distance of at least 200
25 feet to the rear, and a sign visible from the front and the
26 rear identifying the vehicle as a driver education car.

1 For trucks, truck tractors, trailers, semi-trailers,
2 buses, and first division vehicles including taxis which are
3 used for a purpose that requires a school bus driver permit,
4 the safety test shall be conducted in accordance with the
5 Minimum Periodic Inspection Standards promulgated by the
6 Federal Highway Administration of the U.S. Department of
7 Transportation and contained in Appendix G to Subchapter B of
8 Chapter III of Title 49 of the Code of Federal Regulations.
9 Those standards, as now in effect, are made a part of this
10 Code, in the same manner as though they were set out in full in
11 this Code.

12 The passing of the safety test shall not be a bar at any
13 time to prosecution for operating a second division vehicle,
14 medical transport vehicle, motor vehicle used for driver
15 education training, or vehicle designed to carry 15 or fewer
16 passengers operated by a contract carrier as provided in this
17 Section that is unsafe, as determined by the standards
18 prescribed in this Code.

19 (Source: P.A. 100-956, eff. 1-1-19.)