

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. The Electric Vehicle Act is amended by adding  
5 Section 25 as follows:

6 (20 ILCS 627/25 new)

7 Sec. 25. Charging station installations. The installation,  
8 maintenance, and repair of an electric vehicle charging station  
9 shall comply with the requirements of subsection (a) of Section  
10 16-128 and Section 16-128A of the Public Utilities Act.

11 Section 5. The Public Utilities Act is amended by changing  
12 Sections 3-105, 16-102, and 16-128A as follows:

13 (220 ILCS 5/3-105) (from Ch. 111 2/3, par. 3-105)

14 Sec. 3-105. Public utility.

15 (a) "Public utility" means and includes, except where  
16 otherwise expressly provided in this Section, every  
17 corporation, company, limited liability company, association,  
18 joint stock company or association, firm, partnership or  
19 individual, their lessees, trustees, or receivers appointed by  
20 any court whatsoever that owns, controls, operates or manages,  
21 within this State, directly or indirectly, for public use, any

1 plant, equipment or property used or to be used for or in  
2 connection with, or owns or controls any franchise, license,  
3 permit or right to engage in:

4 (1) the production, storage, transmission, sale,  
5 delivery or furnishing of heat, cold, power, electricity,  
6 water, or light, except when used solely for communications  
7 purposes;

8 (2) the disposal of sewerage; or

9 (3) the conveyance of oil or gas by pipe line.

10 (b) "Public utility" does not include, however:

11 (1) public utilities that are owned and operated by any  
12 political subdivision, public institution of higher  
13 education or municipal corporation of this State, or public  
14 utilities that are owned by such political subdivision,  
15 public institution of higher education, or municipal  
16 corporation and operated by any of its lessees or operating  
17 agents;

18 (2) water companies which are purely mutual concerns,  
19 having no rates or charges for services, but paying the  
20 operating expenses by assessment upon the members of such a  
21 company and no other person;

22 (3) electric cooperatives as defined in Section 3-119;

23 (4) the following natural gas cooperatives:

24 (A) residential natural gas cooperatives that are  
25 not-for-profit corporations established for the  
26 purpose of administering and operating, on a

1 cooperative basis, the furnishing of natural gas to  
2 residences for the benefit of their members who are  
3 residential consumers of natural gas. For entities  
4 qualifying as residential natural gas cooperatives and  
5 recognized by the Illinois Commerce Commission as  
6 such, the State shall guarantee legally binding  
7 contracts entered into by residential natural gas  
8 cooperatives for the express purpose of acquiring  
9 natural gas supplies for their members. The Illinois  
10 Commerce Commission shall establish rules and  
11 regulations providing for such guarantees. The total  
12 liability of the State in providing all such guarantees  
13 shall not at any time exceed \$1,000,000, nor shall the  
14 State provide such a guarantee to a residential natural  
15 gas cooperative for more than 3 consecutive years; and

16 (B) natural gas cooperatives that are  
17 not-for-profit corporations operated for the purpose  
18 of administering, on a cooperative basis, the  
19 furnishing of natural gas for the benefit of their  
20 members and that, prior to 90 days after the effective  
21 date of this amendatory Act of the 94th General  
22 Assembly, either had acquired or had entered into an  
23 asset purchase agreement to acquire all or  
24 substantially all of the operating assets of a public  
25 utility or natural gas cooperative with the intention  
26 of operating those assets as a natural gas cooperative;

1           (5) sewage disposal companies which provide sewage  
2 disposal services on a mutual basis without establishing  
3 rates or charges for services, but paying the operating  
4 expenses by assessment upon the members of the company and  
5 no others;

6           (6) (Blank);

7           (7) cogeneration facilities, small power production  
8 facilities, and other qualifying facilities, as defined in  
9 the Public Utility Regulatory Policies Act and regulations  
10 promulgated thereunder, except to the extent State  
11 regulatory jurisdiction and action is required or  
12 authorized by federal law, regulations, regulatory  
13 decisions or the decisions of federal or State courts of  
14 competent jurisdiction;

15           (8) the ownership or operation of a facility that sells  
16 compressed natural gas at retail to the public for use only  
17 as a motor vehicle fuel and the selling of compressed  
18 natural gas at retail to the public for use only as a motor  
19 vehicle fuel;

20           (9) alternative retail electric suppliers as defined  
21 in Article XVI; and

22           (10) the Illinois Power Agency.

23           (c) An entity that furnishes the service of charging  
24 electric vehicles does not and shall not be deemed to sell  
25 electricity and is not and shall not be deemed a public utility  
26 notwithstanding the basis on which the service is provided or

1 billed. If, however, the entity is otherwise deemed a public  
2 utility under this Act, or is otherwise subject to regulation  
3 under this Act, then that entity is not exempt from and remains  
4 subject to the otherwise applicable provisions of this Act. The  
5 installation, maintenance, and repair of an electric vehicle  
6 charging station shall comply with the requirements of  
7 subsection (a) of Section 16-128 and Section 16-128A of this  
8 Act.

9 For purposes of this subsection, the term "electric  
10 vehicles" has the meaning ascribed to that term in Section 10  
11 of the Electric Vehicle Act.

12 (Source: P.A. 94-738, eff. 5-4-06; 95-481, eff. 8-28-07.)

13 (220 ILCS 5/16-102)

14 Sec. 16-102. Definitions. For the purposes of this Article  
15 the following terms shall be defined as set forth in this  
16 Section.

17 "Alternative retail electric supplier" means every person,  
18 cooperative, corporation, municipal corporation, company,  
19 association, joint stock company or association, firm,  
20 partnership, individual, or other entity, their lessees,  
21 trustees, or receivers appointed by any court whatsoever, that  
22 offers electric power or energy for sale, lease or in exchange  
23 for other value received to one or more retail customers, or  
24 that engages in the delivery or furnishing of electric power or  
25 energy to such retail customers, and shall include, without

1 limitation, resellers, aggregators and power marketers, but  
2 shall not include (i) electric utilities (or any agent of the  
3 electric utility to the extent the electric utility provides  
4 tariffed services to retail customers through that agent), (ii)  
5 any electric cooperative or municipal system as defined in  
6 Section 17-100 to the extent that the electric cooperative or  
7 municipal system is serving retail customers within any area in  
8 which it is or would be entitled to provide service under the  
9 law in effect immediately prior to the effective date of this  
10 amendatory Act of 1997, (iii) a public utility that is owned  
11 and operated by any public institution of higher education of  
12 this State, or a public utility that is owned by such public  
13 institution of higher education and operated by any of its  
14 lessees or operating agents, within any area in which it is or  
15 would be entitled to provide service under the law in effect  
16 immediately prior to the effective date of this amendatory Act  
17 of 1997, (iv) a retail customer to the extent that customer  
18 obtains its electric power and energy from that customer's own  
19 cogeneration or self-generation facilities, (v) an entity that  
20 owns, operates, sells, or arranges for the installation of a  
21 customer's own cogeneration or self-generation facilities, but  
22 only to the extent the entity is engaged in owning, selling or  
23 arranging for the installation of such facility, or operating  
24 the facility on behalf of such customer, provided however that  
25 any such third party owner or operator of a facility built  
26 after January 1, 1999, complies with the labor provisions of

1 Section 16-128(a) as though such third party were an  
2 alternative retail electric supplier, or (vi) an industrial or  
3 manufacturing customer that owns its own distribution  
4 facilities, to the extent that the customer provides service  
5 from that distribution system to a third-party contractor  
6 located on the customer's premises that is integrally and  
7 predominantly engaged in the customer's industrial or  
8 manufacturing process; provided, that if the industrial or  
9 manufacturing customer has elected delivery services, the  
10 customer shall pay transition charges applicable to the  
11 electric power and energy consumed by the third-party  
12 contractor unless such charges are otherwise paid by the third  
13 party contractor, which shall be calculated based on the usage  
14 of, and the base rates or the contract rates applicable to, the  
15 third-party contractor in accordance with Section 16-102.

16 An entity that furnishes the service of charging electric  
17 vehicles does not and shall not be deemed to sell electricity  
18 and is not and shall not be deemed an alternative retail  
19 electric supplier, and is not subject to regulation as such  
20 under this Act notwithstanding the basis on which the service  
21 is provided or billed. If, however, the entity is otherwise  
22 deemed an alternative retail electric supplier under this Act,  
23 or is otherwise subject to regulation under this Act, then that  
24 entity is not exempt from and remains subject to the otherwise  
25 applicable provisions of this Act. The installation,  
26 maintenance, and repair of an electric vehicle charging station

1 shall comply with the requirements of subsection (a) of Section  
2 16-128 and Section 16-128A of this Act.

3 For purposes of this Section, the term "electric vehicles"  
4 has the meaning ascribed to that term in Section 10 of the  
5 Electric Vehicle Act.

6 "Base rates" means the rates for those tariffed services  
7 that the electric utility is required to offer pursuant to  
8 subsection (a) of Section 16-103 and that were identified in a  
9 rate order for collection of the electric utility's base rate  
10 revenue requirement, excluding (i) separate automatic rate  
11 adjustment riders then in effect, (ii) special or negotiated  
12 contract rates, (iii) delivery services tariffs filed pursuant  
13 to Section 16-108, (iv) real-time pricing, or (v) tariffs that  
14 were in effect prior to October 1, 1996 and that based charges  
15 for services on an index or average of other utilities'  
16 charges, but including (vi) any subsequent redesign of such  
17 rates for tariffed services that is authorized by the  
18 Commission after notice and hearing.

19 "Competitive service" includes (i) any service that has  
20 been declared to be competitive pursuant to Section 16-113 of  
21 this Act, (ii) contract service, and (iii) services, other than  
22 tariffed services, that are related to, but not necessary for,  
23 the provision of electric power and energy or delivery  
24 services.

25 "Contract service" means (1) services, including the  
26 provision of electric power and energy or other services, that



1 are provided by mutual agreement between an electric utility  
2 and a retail customer that is located in the electric utility's  
3 service area, provided that, delivery services shall not be a  
4 contract service until such services are declared competitive  
5 pursuant to Section 16-113; and also means (2) the provision of  
6 electric power and energy by an electric utility to retail  
7 customers outside the electric utility's service area pursuant  
8 to Section 16-116. Provided, however, contract service does not  
9 include electric utility services provided pursuant to (i)  
10 contracts that retail customers are required to execute as a  
11 condition of receiving tariffed services, or (ii) special or  
12 negotiated rate contracts for electric utility services that  
13 were entered into between an electric utility and a retail  
14 customer prior to the effective date of this amendatory Act of  
15 1997 and filed with the Commission.

16 "Delivery services" means those services provided by the  
17 electric utility that are necessary in order for the  
18 transmission and distribution systems to function so that  
19 retail customers located in the electric utility's service area  
20 can receive electric power and energy from suppliers other than  
21 the electric utility, and shall include, without limitation,  
22 standard metering and billing services.

23 "Electric utility" means a public utility, as defined in  
24 Section 3-105 of this Act, that has a franchise, license,  
25 permit or right to furnish or sell electricity to retail  
26 customers within a service area.

1 "Mandatory transition period" means the period from the  
2 effective date of this amendatory Act of 1997 through January  
3 1, 2007.

4 "Municipal system" shall have the meaning set forth in  
5 Section 17-100.

6 "Real-time pricing" means tariffed retail charges for  
7 delivered electric power and energy that vary hour-to-hour and  
8 are determined from wholesale market prices using a methodology  
9 approved by the Illinois Commerce Commission.

10 "Retail customer" means a single entity using electric  
11 power or energy at a single premises and that (A) either (i) is  
12 receiving or is eligible to receive tariffed services from an  
13 electric utility, or (ii) that is served by a municipal system  
14 or electric cooperative within any area in which the municipal  
15 system or electric cooperative is or would be entitled to  
16 provide service under the law in effect immediately prior to  
17 the effective date of this amendatory Act of 1997, or (B) an  
18 entity which on the effective date of this Act was receiving  
19 electric service from a public utility and (i) was engaged in  
20 the practice of resale and redistribution of such electricity  
21 within a building prior to January 2, 1957, or (ii) was  
22 providing lighting services to tenants in a multi-occupancy  
23 building, but only to the extent such resale, redistribution or  
24 lighting service is authorized by the electric utility's  
25 tariffs that were on file with the Commission on the effective  
26 date of this Act.

1 "Service area" means (i) the geographic area within which  
2 an electric utility was lawfully entitled to provide electric  
3 power and energy to retail customers as of the effective date  
4 of this amendatory Act of 1997, and includes (ii) the location  
5 of any retail customer to which the electric utility was  
6 lawfully providing electric utility services on such effective  
7 date.

8 "Small commercial retail customer" means those  
9 nonresidential retail customers of an electric utility  
10 consuming 15,000 kilowatt-hours or less of electricity  
11 annually in its service area.

12 "Tariffed service" means services provided to retail  
13 customers by an electric utility as defined by its rates on  
14 file with the Commission pursuant to the provisions of Article  
15 IX of this Act, but shall not include competitive services.

16 "Transition charge" means a charge expressed in cents per  
17 kilowatt-hour that is calculated for a customer or class of  
18 customers as follows for each year in which an electric utility  
19 is entitled to recover transition charges as provided in  
20 Section 16-108:

21 (1) the amount of revenue that an electric utility  
22 would receive from the retail customer or customers if it  
23 were serving such customers' electric power and energy  
24 requirements as a tariffed service based on (A) all of the  
25 customers' actual usage during the 3 years ending 90 days  
26 prior to the date on which such customers were first

1 eligible for delivery services pursuant to Section 16-104,  
2 and (B) on (i) the base rates in effect on October 1, 1996  
3 (adjusted for the reductions required by subsection (b) of  
4 Section 16-111, for any reduction resulting from a rate  
5 decrease under Section 16-101(b), for any restatement of  
6 base rates made in conjunction with an elimination of the  
7 fuel adjustment clause pursuant to subsection (b), (d), or  
8 (f) of Section 9-220 and for any removal of decommissioning  
9 costs from base rates pursuant to Section 16-114) and any  
10 separate automatic rate adjustment riders (other than a  
11 decommissioning rate as defined in Section 16-114) under  
12 which the customers were receiving or, had they been  
13 customers, would have received electric power and energy  
14 from the electric utility during the year immediately  
15 preceding the date on which such customers were first  
16 eligible for delivery service pursuant to Section 16-104,  
17 or (ii) to the extent applicable, any contract rates,  
18 including contracts or rates for consolidated or  
19 aggregated billing, under which such customers were  
20 receiving electric power and energy from the electric  
21 utility during such year;

22 (2) less the amount of revenue, other than revenue from  
23 transition charges and decommissioning rates, that the  
24 electric utility would receive from such retail customers  
25 for delivery services provided by the electric utility,  
26 assuming such customers were taking delivery services for

1 all of their usage, based on the delivery services tariffs  
2 in effect during the year for which the transition charge  
3 is being calculated and on the usage identified in  
4 paragraph (1);

5 (3) less the market value for the electric power and  
6 energy that the electric utility would have used to supply  
7 all of such customers' electric power and energy  
8 requirements, as a tariffed service, based on the usage  
9 identified in paragraph (1), with such market value  
10 determined in accordance with Section 16-112 of this Act;

11 (4) less the following amount which represents the  
12 amount to be attributed to new revenue sources and cost  
13 reductions by the electric utility through the end of the  
14 period for which transition costs are recovered pursuant to  
15 Section 16-108, referred to in this Article XVI as a  
16 "mitigation factor":

17 (A) for nonresidential retail customers, an amount  
18 equal to the greater of (i) 0.5 cents per kilowatt-hour  
19 during the period October 1, 1999 through December 31,  
20 2004, 0.6 cents per kilowatt-hour in calendar year  
21 2005, and 0.9 cents per kilowatt-hour in calendar year  
22 2006, multiplied in each year by the usage identified  
23 in paragraph (1), or (ii) an amount equal to the  
24 following percentages of the amount produced by  
25 applying the applicable base rates (adjusted as  
26 described in subparagraph (1)(B)) or contract rate to

1 the usage identified in paragraph (1): 8% for the  
2 period October 1, 1999 through December 31, 2002, 10%  
3 in calendar years 2003 and 2004, 11% in calendar year  
4 2005 and 12% in calendar year 2006; and

5 (B) for residential retail customers, an amount  
6 equal to the following percentages of the amount  
7 produced by applying the base rates in effect on  
8 October 1, 1996 (adjusted as described in subparagraph  
9 (1)(B)) to the usage identified in paragraph (1): (i)  
10 6% from May 1, 2002 through December 31, 2002, (ii) 7%  
11 in calendar years 2003 and 2004, (iii) 8% in calendar  
12 year 2005, and (iv) 10% in calendar year 2006;

13 (5) divided by the usage of such customers identified  
14 in paragraph (1),  
15 provided that the transition charge shall never be less than  
16 zero.

17 "Unbundled service" means a component or constituent part  
18 of a tariffed service which the electric utility subsequently  
19 offers separately to its customers.

20 (Source: P.A. 94-977, eff. 6-30-06.)

21 (220 ILCS 5/16-128A)

22 Sec. 16-128A. Certification of installers, maintainers, or  
23 repairers.

24 (a) Within 18 months of the effective date of this  
25 amendatory Act of the 97th General Assembly, the Commission

1 shall adopt rules, including emergency rules, establishing  
2 certification requirements ensuring that entities installing  
3 distributed generation facilities are in compliance with the  
4 requirements of subsection (a) of Section 16-128 of this Act.

5 For purposes of this Section, the phrase "entities  
6 installing distributed generation facilities" shall include,  
7 but not be limited to, all entities that are exempt from the  
8 definition of "alternative retail electric supplier" under  
9 item (v) of Section 16-102 of this Act. For purposes of this  
10 Section, the phrase "self-installer" means an individual who  
11 (i) leases or purchases a cogeneration facility for his or her  
12 own personal use and (ii) installs such cogeneration or  
13 self-generation facility on his or her own premises without the  
14 assistance of any other person.

15 (b) In addition to any authority granted to the Commission  
16 under this Act, the Commission is also authorized to: (1)  
17 determine which entities are subject to certification under  
18 this Section; (2) impose reasonable certification fees and  
19 penalties; (3) adopt disciplinary procedures; (4) investigate  
20 any and all activities subject to this Section, including  
21 violations thereof; (5) adopt procedures to issue or renew, or  
22 to refuse to issue or renew, a certification or to revoke,  
23 suspend, place on probation, reprimand, or otherwise  
24 discipline a certified entity under this Act or take other  
25 enforcement action against an entity subject to this Section;  
26 and (6) prescribe forms to be issued for the administration and

1 enforcement of this Section.

2 (c) No electric utility shall provide a retail customer  
3 with net metering service related to interconnection of that  
4 customer's distributed generation facility unless the customer  
5 provides the electric utility with (i) a certification that the  
6 customer installing the distributed generation facility was a  
7 self-installer or (ii) evidence that the distributed  
8 generation facility was installed by an entity certified under  
9 this Section that is also in good standing with the Commission.  
10 For purposes of this subsection, a retail customer includes  
11 that customer's employees, officers, and agents. An electric  
12 utility shall file a tariff or tariffs with the Commission  
13 setting forth the documentation, as specified by Commission  
14 rule, that a retail customer must provide to an electric  
15 utility. The provisions of this subsection (c) shall apply on  
16 or after the effective date of the Commission's rules  
17 prescribed pursuant to subsection (a) of this Section.

18 (d) Within 180 days after the effective date of this  
19 amendatory Act of the 97th General Assembly, the Commission  
20 shall initiate a rulemaking proceeding to establish  
21 certification requirements that shall be applicable to persons  
22 or entities ~~vendors~~ that install, maintain, or repair electric  
23 vehicle charging stations. The notification and certification  
24 requirements of this Section shall only be applicable to  
25 individuals or entities that perform work on or within an  
26 electric vehicle charging station, including, but not limited



1 to, connection of power to an electric vehicle charging  
2 station.

3 For the purposes of this Section "electric vehicle charging  
4 station" means any facility or equipment that is used to charge  
5 a battery or other energy storage device of an electric  
6 vehicle.

7 Rules regulating the installation, maintenance, or repair  
8 of electric vehicle charging stations, in which the Commission  
9 may establish separate requirements based upon the  
10 characteristics of electric vehicle charging stations, so long  
11 as it is in accordance with the requirements of subsection (a)  
12 of Section 16-128 and Section 16-128A of this Act, shall:

13 (1) establish a certification process for persons or  
14 entities that install, maintain, or repair of electric  
15 vehicle charging stations;

16 (2) require persons or entities that install,  
17 maintain, or repair electric vehicle stations to be  
18 certified to do business and to be bonded in the State;

19 (3) ensure that persons or entities that install,  
20 maintain, or repair electric vehicle charging stations  
21 have the requisite knowledge, skills, training,  
22 experience, and competence to perform functions in a safe  
23 and reliable manner as required under subsection (a) of  
24 Section 16-128 of this Act;

25 (4) impose reasonable certification fees and penalties  
26 on persons or entities that install, maintain, or repair of

1 electric vehicle charging stations for noncompliance of  
2 the rules adopted under this subsection;

3 (5) ensure that all persons or entities that install,  
4 maintain, or repair electric vehicle charging stations  
5 conform to applicable building and electrical codes;

6 (6) ensure that all electric vehicle charging stations  
7 meet recognized industry standards as the Commission deems  
8 appropriate, such as the National Electric Code (NEC) and  
9 standards developed or created by the Institute of  
10 Electrical and Electronics Engineers (IEEE), the Electric  
11 Power Research Institute (EPRI), the Detroit Edison  
12 Institute (DTE), the Underwriters Laboratory (UL), the  
13 Society of Automotive Engineers (SAE), and the National  
14 Institute of Standards and Technology (NIST);

15 (7) include any additional requirements that the  
16 Commission deems reasonable to ensure that persons or  
17 entities that install, maintain, or repair electric  
18 vehicle charging stations meet adequate training,  
19 financial, and competency requirements;

20 (8) ensure that the obligations required under this  
21 Section and subsection (a) of Section 16-128 of this Act  
22 are met prior to the interconnection of any electric  
23 vehicle charging station;

24 (9) ensure electric vehicle charging stations  
25 installed by a self-installer are not used for any  
26 commercial purpose;

1           (10) establish an inspection procedure for the  
2           conversion of electric vehicle charging stations installed  
3           by a self-installer if it is determined that the  
4           self-installed electric vehicle charging station is being  
5           used for commercial purposes;

6           (11) establish the requirement that all persons or  
7           entities that install electric vehicle charging stations  
8           shall notify the servicing electric utility in writing of  
9           plans to install an electric vehicle charging station and  
10           shall notify the servicing electric utility in writing when  
11           installation is complete;

12           (12) ensure that all persons or entities that install,  
13           maintain, or repair electric vehicle charging stations  
14           obtain certificates of insurance in sufficient amounts and  
15           coverages that the Commission so determines and, if  
16           necessary as determined by the Commission, names the  
17           affected public utility as an additional insured; and

18           (13) identify and determine the training or other  
19           programs by which persons or entities may obtain the  
20           requisite training, skills, or experience necessary to  
21           achieve and maintain compliance with the requirements set  
22           forth in this subsection and subsection (a) of Section  
23           16-128 to install, maintain, or repair electric vehicle  
24           charging stations.

25           Within 18 months after the effective date of this  
26           amendatory Act of the 97th General Assembly, the Commission

1 shall adopt rules, and may, if it deems necessary, adopt  
2 emergency rules, for the installation, maintenance, or repair  
3 of electric vehicle charging stations.

4 All retail customers who own, maintain, or repair an  
5 electric vehicle charging station shall provide the servicing  
6 electric utility (i) a certification that the customer  
7 installing the electric vehicle charging station was a  
8 self-installer or (ii) evidence that the electric vehicle  
9 charging station was installed by an entity certified under  
10 this subsection (d) that is also in good standing with the  
11 Commission. For purposes of this subsection (d), a retail  
12 customer includes that retail customer's employees, officers,  
13 and agents. If the electric vehicle charging station was not  
14 installed by a self-installer, then the person or entity that  
15 plans to install the electric vehicle charging station shall  
16 provide notice to the servicing electric utility prior to  
17 installation and when installation is complete and provide any  
18 other information required by the Commission's rules  
19 established under subsection (d) of this Section. An electric  
20 utility shall file a tariff or tariffs with the Commission  
21 setting forth the documentation, as specified by Commission  
22 rule, that a retail customer who owns, uses, operates, or  
23 maintains an electric vehicle charging station must provide to  
24 an electric utility.

25 For the purposes of this subsection, an electric vehicle  
26 charging station shall constitute a distribution facility or

1 equipment as that term is used in subsection (a) of Section  
2 16-128 of this Act. The phrase "self-installer" means an  
3 individual who (i) leases or purchases an electric vehicle  
4 charging station for his or her own personal use and (ii)  
5 installs an electric vehicle charging station on his or her own  
6 premises without the assistance of any other person.

7 (e) Fees and penalties collected under this Section shall  
8 be deposited into the Public Utility Fund and used to fund the  
9 Commission's compliance with the obligations imposed by this  
10 Section.

11 (f) The rules established under subsection (d) of this  
12 Section shall specify the initial dates for compliance with the  
13 rules.

14 (g) The certification of persons or entities that install,  
15 maintain, or repair distributed generation facilities and  
16 electric vehicle charging stations as set forth in this Section  
17 is an exclusive power and function of the State. A home rule  
18 unit or other units of local government authority may subject  
19 persons or entities that install, maintain, or repair  
20 distributed generation facilities or electric vehicle charging  
21 stations as set forth in this Section to any applicable local  
22 licensing, siting, and permitting requirements otherwise  
23 permitted under law so long as only Commission-certified  
24 persons or entities are authorized to install, maintain, or  
25 repair distributed generation facilities or electric vehicle  
26 charging stations. This Section is a limitation under

1 subsection (h) of Section 6 of Article VII of the Illinois  
2 Constitution on the exercise by home rule units of powers and  
3 functions exclusively exercised by the State.

4 (Source: P.A. 97-616, eff. 10-26-11.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.