



Rep. Dwight Kay

Filed: 4/7/2014

09800HB4942ham001

LRB098 16324 MLW 58219 a

1 AMENDMENT TO HOUSE BILL 4942

2 AMENDMENT NO. _____. Amend House Bill 4942 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Legislative intent. The purpose of this
5 amendatory Act of the 98th General Assembly is to decentralize
6 emissions testing in this State in order to reduce the
7 financial burden on taxpayers. In 2013 over 107,000 vehicles
8 were tested in an emissions testing program at a cost of \$30
9 million. Currently the emission's program is conducted by a
10 private contractor. It is not the intent of the General
11 Assembly to interfere with any current contract, but it is the
12 intent of the General Assembly to prohibit the Illinois
13 Environmental Protection Agency from entering into a new
14 contract or renewing a previous contract that would bind the
15 State to a single private contractor for the purpose of
16 expending State funds for emissions testing. It is the intent
17 of the General Assembly to utilize competition to reduce the

1 financial impact of the emissions testing program upon the
2 expiration of any current contract.

3 Section 5. The Illinois Vehicle Code is amended by changing
4 Section 13C-45 and by adding Section 13C-45.5 as follows:

5 (625 ILCS 5/13C-45)

6 Sec. 13C-45. Contracts.

7 (a) The Agency may enter into contracts with one or more
8 responsible parties to construct and operate official
9 inspection stations, provide and maintain approved test
10 equipment, administer tests, certify results, issue emission
11 inspection stickers or certificates, maintain records, train
12 personnel, provide information to the public concerning the
13 program, or to otherwise further the goals of this Chapter.

14 (b) In preparing its proposals for bidding by potential
15 contractors, the Agency shall endeavor to include provisions
16 relating to the following factors:

17 (1) The demonstrated financial responsibility of the
18 potential contractor.

19 (2) The specialized experience and technical
20 competence of the potential contractor in connection with
21 the type of services required and the complexity of the
22 project.

23 (3) The potential contractor's past record of
24 performance on contracts with the Agency, with other

1 government agencies or public bodies, and with private
2 industry, including such items as cost, quality of work,
3 and ability to meet schedules.

4 (4) The capacity of the potential contractor to perform
5 the work within the time limitations.

6 (5) The familiarity of the potential contractor with
7 the types of problems applicable to the project.

8 (6) The potential contractor's proposed method to
9 accomplish the work required, including where appropriate
10 any demonstrated capability of exploring and developing
11 innovative or advanced techniques and methods.

12 (7) Avoidance of personal and organizational conflicts
13 of interest prohibited under federal, State, or local law.

14 (8) The potential contractor's present and prior
15 involvement in the community and in the State of Illinois.

16 (c) On and after the effective date of this amendatory Act
17 of the 98th General Assembly, the Agency may not enter into new
18 contracts under this Section and may not renew any contract
19 previously made under this Section.

20 (d) This Section is repealed on July 1, 2023.

21 (Source: P.A. 94-526, eff. 1-1-06.)

22 (625 ILCS 5/13C-45.5 new)

23 Sec. 13C-45.5. Inspection station qualifications.

24 (a) Any facility that performs maintenance or repair work
25 on motor vehicles as a routine part of its business may apply

1 to the Agency for certification as an official inspection
2 station. The Agency shall authorize as an official inspection
3 station any applicant that meets the following criteria:

4 (1) employs inspectors that have been certified by the
5 Agency after successfully completing a course of training
6 and successfully passing a written test;

7 (2) requires all inspections done at its facility to be
8 performed by the inspectors certified under paragraph (1)
9 of this subsection (a); and

10 (3) utilizes equipment for its inspections that has
11 been approved by the Agency for inspections.

12 (b) The Agency shall adopt rules governing applications to
13 qualify as an official inspection station, including but not
14 limited to any applicable fees.

15 (c) Nothing in this Section shall be construed to prevent
16 the Agency from operating its own official inspection
17 stations."