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## INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or preemptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

## ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2016

<b>Issue#</b>	<b>Rules Due Date</b>	<b>Date of Issue</b>
1	December 21, 2015	January 4, 2016
2	December 28, 2015	January 8, 2016
3	January 4, 2016	January 15, 2016
4	January 11, 2016	January 22, 2016
5	January 19, 2016	January 29, 2016
6	January 25, 2016	February 5, 2016
7	February 1, 2016	February 16, 2016
8	February 8, 2016	February 19, 2016
9	February 16, 2016	February 26, 2016
10	February 22, 2016	March 4, 2016
11	February 29, 2016	March 11, 2016
12	March 7, 2016	March 18, 2016
13	March 14, 2016	March 25, 2016
14	March 21, 2016	April 1, 2016
15	March 28, 2016	April 8, 2016
16	April 4, 2016	April 15, 2016
17	April 11, 2016	April 22, 2016
18	April 18, 2016	April 29, 2016
19	April 25, 2016	May 6, 2016
20	May 2, 2016	May 13, 2016
21	May 9, 2016	May 20, 2016
22	May 16, 2016	May 27, 2016

23	May 23, 2016	June 3, 2016
24	May 31, 2016	June 10, 2016
25	June 6, 2016	June 17, 2016
26	June 13, 2016	June 24, 2016
27	June 20, 2016	July 1, 2016
28	June 27, 2016	July 8, 2016
29	July 5, 2016	July 15, 2016
30	July 11, 2016	July 22, 2016
31	July 18, 2016	July 29, 2016
32	July 25, 2016	August 5, 2016
33	August 1, 2016	August 12, 2016
34	August 8, 2016	August 19, 2016
35	August 15, 2016	August 26, 2016
36	August 22, 2016	September 2, 2016
37	August 29, 2016	September 9, 2016
38	September 6, 2016	September 16, 2016
39	September 12, 2016	September 23, 2016
40	September 19, 2016	September 30, 2016
41	September 26, 2016	October 7, 2016
42	October 3, 2016	October 14, 2016
43	October 11, 2016	October 21, 2016
44	October 17, 2016	October 28, 2016
45	October 24, 2016	November 4, 2016
46	October 31, 2016	November 14, 2016
47	November 7, 2016	November 18, 2016
48	November 14, 2016	November 28, 2016
49	November 21, 2016	December 2, 2016
50	November 28, 2016	December 9, 2016
51	December 5, 2016	December 16, 2016
52	December 12, 2016	December 27, 2016
53	December 19, 2016	December 30, 2016

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Standards of Service for Gas Utilities
- 2) Code Citation: 83 Ill. Adm. Code 500
- 3) 

<u>Section Numbers</u> :	<u>Proposed Actions</u> :
500.10	Repealed
500.20	Repealed
500.30	Repealed
500.40	Repealed
500.110	Repealed
500.120	Repealed
500.130	Repealed
500.140	Repealed
500.150	Repealed
500.160	Repealed
500.170	Repealed
500.180	Repealed
500.190	Repealed
500.200	Repealed
500.210	Repealed
500.215	Repealed
500.220	Repealed
500.230	Repealed
500.240	Repealed
500.250	Repealed
500.260	Repealed
500.270	Repealed
500.280	Repealed
500.290	Repealed
500.300	Repealed
500.310	Repealed
500.320	Repealed
500.330	Repealed
500.340	Repealed
- 4) Statutory Authority: Implementing Section 8-301 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/8-301 and 10-101]

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED REPEALER

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking proposes to repeal the rules currently found in Part 500; they will be replaced by the provisions of Part 501, which have already been adopted and which will apply on January 1, 2017. Many of the provisions of Part 500 have existed in their current form since 1965, and some are a century old. A comprehensive and systematic revision of the Part was necessary to take account of technological improvements that have occurred in recent years, as well as to recognize the emerging role of alternative gas suppliers in the market.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: The proposed rulemaking neither creates nor expands any State mandate on units of local government, school districts, or community college districts.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed, within 45 days after the date of this issue of the Illinois Register, in Docket No. 16-0256 with:
- Elizabeth Rolando, Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield IL 62701
- 217/782-7434
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will affect any subject jurisdictional entities that are

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also small businesses as defined in the Illinois Administrative Procedure Act. This rulemaking will not affect any small municipalities or not-for-profit corporations.

- B) Reporting, bookkeeping or other procedures required for compliance:  
Bookkeeping and filing procedures
  - C) Types of professional skills necessary for compliance: Managerial and accounting skills
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: The Commission did not anticipate the need for this rulemaking at that time.

The full text of the Proposed Repealer begins on the next page:

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED REPEALER

TITLE 83: PUBLIC UTILITIES  
CHAPTER I: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER d: GAS UTILITIESPART 500  
STANDARDS OF SERVICE FOR GAS UTILITIES [\(REPEALED\)](#)

## SUBPART A: PRELIMINARY

Section	
500.10	Authorization
500.20	Application
500.30	Exemptions or Deviations in Particular Cases
500.40	Saving Clause

## SUBPART B: STANDARDS OF SERVICE

Section	
500.110	Records and Reports
500.120	Customer Meter History Records
500.130	Customer Meter Test Records
500.140	Plant Records
500.150	Complaints
500.160	Interruptions of Service
500.170	Location of Service Meters
500.180	Testing Facilities and Equipment
500.190	Customer Meter Accuracy Requirements
500.200	Customer Meter Test Loads
500.210	Periodic Tests of Customer Meters
500.215	Sample Testing of Meters
500.220	Meter Tests Requested by Customers
500.230	Commission Referee Tests
500.240	Adjustment of Bills for Meter Error
500.250	Installation Inspection
500.260	Pressure Regulation
500.270	Pressure Surveys
500.280	Heating Value and Calorimeter Equipment
500.290	Purity of Gas
500.300	Odorization of Gas

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500.310	Extension of Distribution Mains in Urban Areas
500.320	Extension of Distribution Mains in Rural Areas
500.330	Information to Customers
500.335	Information to REAPP Customers (Repealed)
500.340	Maintenance and Replacement of Service Pipes

**AUTHORITY:** Implementing Section 8-301 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/ 8-301 and 10-101].

**SOURCE:** Filed and effective August 1, 1965; codified at 8 Ill. Reg. 7606; amended at 8 Ill. Reg. 14960, effective September 1, 1984; amended at 10 Ill. Reg. 154, effective December 23, 1985; amended at 11 Ill. Reg. 8976, effective May 1, 1987; emergency amendment at 13 Ill. Reg. 16571, effective October 10, 1989, for a maximum of 150 days; amended at 14 Ill. Reg. 3463, effective March 1, 1990; amended at 16 Ill. Reg. 2550, effective February 1, 1992; repealed at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: PRELIMINARY

**Section 500.10 Authorization**

In accordance with the provisions of Section 54 of "An Act concerning public utilities" (Ill. Rev. Stat. 1981, ch. 111 $\frac{2}{3}$ , par. 54), as amended, the Commission prescribes the following rules establishing standards for gas service, effective August 1, 1948, revised July 1, 1965.

**Section 500.20 Application**

This Part sets forth minimum requirements and shall apply to any public utility which is defined as such by Section 10 of "An Act concerning public utilities" (Ill. Rev. Stat. 1981, ch. 111 $\frac{2}{3}$ , par. 10), as amended, and which is now, or hereafter may be, engaged in the production, sale or distribution of gas.

**Section 500.30 Exemptions or Deviations in Particular Cases**

If any existing conditions, in the judgment of any public utility, justify the making of an exemption or deviation from any of these rules in any particular case, a verified petition may be filed by the utility with the Commission setting forth a full statement of such conditions and the reasons and purposes of such proposed exemption or deviation. The Commission may, if it deems proper, set such petition for hearing and, after hearing, or upon the showings of the verified petition if no hearing is deemed necessary, may grant permission to make such

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exemption or deviation in any such particular case.

**Section 500.40 Saving Clause**

The adoption of this Part shall in no way preclude the Commission from altering or amending it, in whole or in part, or from requiring or permitting any other or additional service, equipment, facility or standard, either upon complaint, upon its own motion, or upon the application of any utility; nor shall this Part relieve any utility from any of its duties under the laws of this State.

## SUBPART B: STANDARDS OF SERVICE

**Section 500.110 Records and Reports**

- a) Attention is invited to the requirements of Section 16 of "An Act concerning public utilities" (Ill. Rev. Stat. 1981, ch. 111 $\frac{2}{3}$ , par. 16), as amended, which presently reads as follows:

*"Each public utility shall have an office in one of the cities, villages or incorporated towns in this State in which its property or some part thereof is located, and shall keep in said office all such books, accounts, papers, records and memoranda as shall be ordered by the Commission to be kept within the State. The address of such office shall be filed with the Commission. No books, accounts, papers, records or memoranda ordered by the Commission to be kept within the State shall be at any time removed from the State, except upon such conditions as may be prescribed by the Commission."*

- b) All records required by this Part shall be kept within the State.
- c) The rules prescribed in 83 Ill. Adm. Code 510 (General Order 187), as revised from time to time, will govern the destruction of records of gas utilities.

**Section 500.120 Customer Meter History Records**

Superseded by 83 Ill. Adm. Code 510 (General Order 187), The Preservation of Records, Gas Utilities, effective September 1, 1962.

**Section 500.130 Customer Meter Test Records**

Superseded by 83 Ill. Adm. Code 510 (General Order 187), The Preservation of Records, Gas

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Utilities, effective September 1, 1962.

**Section 500.140 Plant Records**

Each utility shall keep, insofar as practicable, daily records of the operation of its plant which shall show the quantities of gas made, gas purchased, gas sent out, fuels and other raw materials used, and length of time each producing unit was in operation. The utility shall also keep a record of such details of plant operation as may be necessary substantially to reproduce its operations. The Commission may from time to time specify by its order any other particular matters which shall be covered by these records.

**Section 500.150 Complaints**

- a) A full and prompt investigation shall be made of each complaint received. The word "complaint," as used in this Section, shall be construed to mean substantial objection made to a utility by a customer as to its charges, facilities or service, the disposal of which complaint requires investigation or analysis. The receipt of all written complaints shall be acknowledged in writing or by personal contact.
- b) A record shall be kept of each complaint, showing the name and address of the complainant, the time of day and date received, the nature of the complaint, the result of the investigation, when and by whom conducted, the final disposition of the complaint, and the date of such disposition.

**Section 500.160 Interruptions of Service**

For the purpose of this Part, a drop of pressure at the inlet to the distribution system to less than one and one-half inches of water pressure will be considered as an interruption on the system.

- a) Each utility shall make all reasonable efforts to prevent interruptions of service. When interruptions occur, the utility shall reestablish service with the shortest possible delay, consistent with general safety and public welfare. The Commission shall be notified promptly if service is interrupted to any major portion of the distribution system for a period of 12 hours or more. Whenever the service is to be interrupted for the purpose of working on the system, this work shall be done at a time which will cause the least inconvenience to customers, and those customers who will be most seriously affected by such interruption shall, so far as practicable, be notified in advance.

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- b) Each utility shall keep a record of all interruptions affecting service to the entire system, each community, and any major portion of the distribution system. This record shall show the date, time of day, duration, extent and cause of the interruption.
- c) The provisions of this Section shall not apply to customers receiving service under so-called interruptible rate classifications.

**Section 500.170 Location of Service Meters**

- a) Meters shall be located on the customer's premises as near as practical to the point of entrance of gas service into customer's building or utilization area as mutually agreed upon by the utility and customer. Said location shall be accessible and provide reasonable protection for the meter from accidental damage or hazardous operation. Meters shall not be installed in sleeping rooms, small unventilated areas or in locations where the installation, reading and removal of the meter may prove difficult or hazardous. Out-of-doors meters may not be installed in front of a residential dwelling except with the consent of the customer.
- b) Meters shall not be installed in locations where the generally prevailing ambient temperature varies from 60 degrees Fahrenheit by more than 20 degrees Fahrenheit, except as hereinafter provided. In locations where generally prevailing ambient temperatures vary from 60 degrees Fahrenheit by more than 20 degrees Fahrenheit, meters incorporating a suitable temperature compensating device shall be used. Where it is the present general policy and practice of a utility to install all of its residential and small commercial meters, where possible, out-of-doors without temperature compensation, said utility may continue to do so on the assumption that present rates are predicated on such metering practice.
- c) Meters shall be rigidly secured in an upright and level position by a suitable meter bar, pipe risers, meter brackets or foundation sufficient for the support of the metering installation.
- d) Normally, only "hard case" meters may be installed out-of-doors. "Tin case" meters may be used out-of-doors, provided said meters shall be installed in suitable housings or in underground pits so as to protect such meters against damage.

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- e) If, in the opinion of the utility, it is not practical to locate a meter installation in a place free of traffic hazard, such installation shall include guard posts or rails to reasonably protect the facility from damage.

**Section 500.180 Testing Facilities and Equipment**

- a) Each utility shall provide for such laboratory, meter testing shops and other equipment and facilities as may be necessary to make the tests required of it by this Part or other orders of the Commission. The apparatus and equipment so provided shall be at all times available for the inspection or use of authorized representatives of the Commission.
- b)
  - 1) Each utility furnishing gas service through rotary type displacement meters shall retain either
    - A) a record of the utility's accuracy test made prior to placing such a meter in service and in accordance with recognized and accepted practices, or,
    - B) in lieu of such a test by the utility, a record of the factory's accuracy test.
  - 2) All rotary type displacement meters in service shall be given a differential test at least every 5 years, which test shall be in lieu of the requirements set forth in Section 500.210. If the differential for a given RPM is 50% higher than the utility's initial differential test or the factory differential test, action shall be taken to return the differential below said 50%.
- c) Each utility furnishing metered gas service through orifice type meters (flow meters) shall provide and have available an instrument for checking the diameter of the orifice, a water column for testing the pressure differential recorder, and a mercury column or an approved dead weight gauge tester for testing the static pressure recorded so that the utility will be capable of determining the accuracy of these orifices and recorders to within one-half of one percent. The orifices of these meters in service shall be inspected and calibrated at least annually, and the pressure instruments shall be calibrated at least monthly, which tests shall be in lieu of the requirements set forth in Section 500.210.

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d)

- 1) Turbine type gas meters shall be tested for accuracy by means of an actual calibration proof test prior to installation, and shall thereafter be proof tested at a single test rate in the range of 20 percent to 80 percent of maximum flow capacity under density conditions identical to those used at the initial test conducted prior to installation. For any turbine meter equipped with a detachable rotor module, testing of the module may be performed in either the service meter body or a test meter body.
- 2) Turbine meters with operating pressure of 100 pounds per square inch ("psi") or greater shall be proof tested annually and lubricated every six months.
- 3) Turbine meters with operating pressure of less than 100 psi shall be proof tested every five years and lubricated annually and, if not equipped with external lubrication provisions, shall be spin tested annually. If the spin time is not equal to or greater than the minimum spin time specified by the manufacturer, such corrective measures shall be taken as are necessary to cause the spin time to equal or exceed the manufacturer's specifications. These measure shall include such actions as cleaning, lubricating or repairing the meter.
- 4) The turbine meter testing requirements prescribed herein shall be in lieu of the requirements set forth in Section 500.210.

e)

- 1) Each utility furnishing metered gas service shall provide meter testing equipment, including a meter prover of not less than five cubic foot capacity, and shall cause same to be maintained in proper adjustment in order to determine the accuracy of meters to within one-half of one percent. The utility shall provide suitable thermometers and shall adequately control the temperature of the meter testing room, meter soaking room, and air supply used in testing meters to achieve the meter testing accuracy stated herein. The meter prover shall be so placed as to be shielded from excessive temperature variations.

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- 2) Each utility using temperature compensating meters shall, in addition, provide a means of testing either by their own equipment or outside contract facilities such meters at zero degrees Fahrenheit, and 100 degrees Fahrenheit, should such a test be required.
- f) The accuracy of all provers and testing equipment, and the methods of operating them, may be established or checked from time to time by an authorized representative of the Commission. The equipment used by the utility shall be checked for accuracy against recognized standards at least every three (3) years.

**Section 500.190 Customer Meter Accuracy Requirements**

- a) A new gas meter installed for use of any customer shall not be more than two percent slow and not more than one percent fast. Every meter removed from service when opened for repairs shall be adjusted to be not more than two percent slow and not more than one percent fast before being reset; and, if not opened for repairs, may be reset without adjustment if found to be not more than two percent in error fast or slow when tested at the rates provided for in Section 500.200.
- b) Temperature compensating meters shall be of such design as to meet the above accuracy requirements over a full range of temperature from zero degrees Fahrenheit to 100 degrees Fahrenheit. Routine testing of temperature compensating meters shall be performed at meter test room temperatures. In the event of complaint and indication that a temperature compensating meter is not registering correctly at high or low temperatures, said meter shall be tested at zero degrees Fahrenheit, 60 degrees Fahrenheit, and 100 degrees Fahrenheit, to determine the accuracy of said meter.
- c) No meter which is mechanically defective shall be placed in service or allowed to remain in service after such defect has been discovered. When any gas meter is not connected in service, the inlet and outlet shall be capped to prevent foreign material from entering the meter.

**Section 500.200 Customer Meter Test Loads**

All tests to determine the accuracy of registration of gas service meters shall be made with a suitable meter prover or testing equipment. The accuracy of each bellows-type displacement meter removed from service shall be the average of the check and open flow tests. The two rates of flow to be used in testing said meters shall be

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- a) in the range of 20 percent to 33 percent of the rated capacity, and
- b) at 100 percent of the rated capacity or open flow capacity.

**Section 500.210 Periodic Tests of Customer Meters**

No service meter shall be allowed to remain in service more than ten years from the time when last tested without being retested, and, if necessary, readjusted to be correct within the limits set forth in Section 500.190 before being set for use.

**Section 500.215 Sample Testing of Meters**

- a) A utility may, at its option and upon giving notice to the Commission, adopt scientific sample procedures for new and in service meters. Such procedures shall be supervised by an individual trained in statistical sampling techniques. During the first five years, or as directed by the Commission, following the adoption of such procedures, the utility shall file the results of the sample testing technique as part of the Annual Report – Form 21, on page 541. At least once a year a chi-square test must be made to verify the randomness of the sample.
- b) Meter lots for new meters must be established consisting of meters of a single type and size, manufactured under the same conditions, and at essentially the same time. All sample testing procedures must be in accordance with Inspection Level II of Military Standard 105-D of the Department of Defense (also see Supply and Logistics Handbook H-105).
- c) Meter lots for in service meters must be established consisting of meters of a similar type, size and year of installation. In the ninth and subsequent years that meters are in service, they shall be tested in accordance with Inspection Level II of MIL-STD 105-D of the Department of Defense (see also Supply and Logistics Handbook H-105).
- d) In order to comply with the two percent slow or one percent fast accuracy limits of Section 500.190, the plan adopted for new meters must provide an acceptable quality level not to exceed 1.0% in order to assure a process average of at least 99%. New meters must be 100% tested by the manufacturer. The test records must accompany the meters and will be considered as the initial test.

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- e) The plan adopted for meters in service must provide an acceptable quality level of 6.5% in order to assure a process average of at least 93.5%. A meter will be defined as deviant if the average of its check-rate and capacity-rate accuracy tests is not between three percent and three percent slow.

**Section 500.220 Meter Tests Requested by Customers**

Each utility furnishing metered gas service shall, without charge, test the accuracy of any meter upon request by the customer served through such meter, provided that the meter in question has not been tested by the utility or by the Commission within one year previous to such request. If the customer so desires, he or his representatives shall have the privilege of witnessing the test. A report, giving the results of the test, shall be made to the customer.

**Section 500.230 Commission Referee Tests**

- a)
  - 1) Upon written application to the Commission by any customer, a test will be made of the customer's meter by a representative of the Commission. For such a test a fee as scheduled below shall be forwarded to the Commission with the application, which fee shall be refunded to the applicant by the utility if the meter is found to be more than two percent fast.

SCHEDULE OF FEES

For low pressure bellows-type displacement meters

Capacities in cubic feet per hour

	Fee
Meters up to 425	\$ 2.00
Meters from 450 to 1,225	\$ 4.00
Meters from 1,250 to 10,000	\$ 8.00

- 2) Fees for other types of meters will be established at the time of application.

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- b) A meter shall in no way be disturbed after the utility has received notice that application has been made for such a test, unless authority to do so is first given in writing by the Commission or by the customer.

**Section 500.240 Adjustment of Bills for Meter Error**

- a) Whenever any test of a customer meter made by a utility, or by the Commission when removed from service, shall show such meter to have an average error of more than four percent, the following provisions for the adjustment of bills shall be observed:
- 1) For the purpose of this Section, the error found shall be considered to have existed for the six months preceding the test or for the time the meter has been in service, if less than six months. In cases where it can be shown that the inaccuracy has existed for a longer period than six months, adjustment shall be made for the longer period. Furthermore, for the purpose of this Section, a bank or set of meters connected in parallel shall be considered as a meter. Any adjustment of bills for either overregistration or underregistration shall not extend back beyond
    - A) the date of the commencement of service to the customer occupying the premises at the time of the test by which the inaccuracy is discovered, or
    - B) the date of the installation of the meter, whichever is later.
  - 2) If the meter be found to overregister, the utility shall refund to the customer any overcharge caused thereby during the period of inaccuracy of the meter as above defined. The actual error of the meter, and not the difference between the allowable error and the error as found, shall be used as the basis for calculating the refund.
  - 3) If the meter be found to underregister, the utility may render a bill to the customer for the estimated consumption not covered by bills previously rendered during the period of inaccuracy as defined above. Such action shall be taken, however, only in the event the bill for estimated inaccuracy amounts to 50 cents or more, and such bill shall be conditional upon the utility not being at fault for allowing the incorrect meter to remain in service. The utility shall in no case render a bill for underregistration

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where a meter has been found slow, unless the particular meter has been inspected and tested in conformity with Sections 500.190, 500.200, 500.210, 500.215 and 500.220.

- 4) In the case of a nonregistering meter which has been read during the period of nonregistration, the utility shall not render a bill for an estimated consumption extending over more than twice the regular interval between readings.
- b) Whenever a utility or the Commission shall find a gas meter in its place of service to be registering gas on account of a leak in the meter or in the outlet connection of the meter, an estimate based upon a period of inaccuracy as defined above shall be made of the registration which has been produced by the leakage and a corresponding refund shall be made to the customer.

**Section 500.250 Installation Inspection**

- a) At the time of installation each meter shall be checked for proper mechanical condition and suitability of location. Service pipes and meter connections shall be tested for leaks and general fitness with a view of insuring the furnishing of a satisfactory grade of service.
- b) The utility may refuse to install a meter or to serve a customer if, in its judgment, the customer's installation of piping or gas-burning equipment is hazardous or of such character that satisfactory service cannot be given, but in case of refusal the utility shall inform the customer as to the reason for refusal to render service.

**Section 500.260 Pressure Regulation**

- a) The pressure of gas supplied by any utility, as measured at the outlet of any customer's meter, shall not be less than two inches nor more than 12 inches of water pressure except where greater pressure is specified and provided for in the contract between the utility and the customer, and provided there be no unfair and unreasonable discrimination or preferences. Within said limits the daily variation of pressure at the outlet of any one meter on the system shall never be greater than 100 percent of the minimum pressure at that outlet, provided that variations in pressure entirely beyond the control of the utility shall not be considered as a violation of this Section.

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- b) Variations of pressure in excess of those specified above caused
  - 1) by operations of the customer in violation of his contract or of the rules of the utility,
  - 2) by infrequent and unavoidable fluctuations of short duration due to conditions of operation, or
  - 3) by the action of the elements,shall not be considered an infraction of this Section.

**Section 500.270 Pressure Surveys**

- a) Each utility shall make pressure surveys at such intervals and of such comprehensiveness as may be necessary to keep itself fully informed regarding the character of the service being furnished from its system.
- b) All charts and readings taken in pressure surveys shall be preserved and filed in a systematic manner, accompanied by such information as may be required to show the date, hour and place of the test, the instrument used, and the name of the person making the test.
- c) For use in making pressure surveys, each utility shall provide one or more portable graphic recording pressure gauges and shall make frequent measurements of the gas pressure and of the pressure variation throughout the system.
- d) Each utility shall install and maintain recording pressure gauges on its system to indicate the adequacy of pressure control.

**Section 500.280 Heating Value and Calorimeter Equipment**

- a)
  - 1) Each utility furnishing natural gas, liquefied petroleum gas or a mixture of such gases with manufactured gas shall maintain in each community or territory served by it a monthly average standard of heating value of gas authorized by the Commission for that utility and community. Such

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standard of heating value shall be maintained with as little deviation as practicable, and the average total heating value on any one day shall not exceed or fall below the authorized monthly standard by more than five percent.

- 2) In situations, however, where, for the purpose of meeting the requirements of a peak load or an emergency, a utility makes use of a reserve or emergency supply, such as liquefied petroleum gas, then it shall be permissible to furnish gas of a heating value exceeding the authorized monthly standard by more than five percent, during the said peak or emergency.
- b) Each utility furnishing manufactured gas shall supply gas which at any point at least one mile from the plant shall have a monthly average total heating value of not less than 565 British thermal units per cubic foot, and at no time shall the total heating value of the gas at such point be less than 530 British thermal units per cubic foot. In case gas is carried by mains at five pounds pressure or over per square inch, there shall be an allowance in the service of such higher pressure district of 35 British thermal units per cubic foot in the monthly average, and the minimum heating value shall not fall below 520 British thermal units per cubic foot.
- c) To obtain the monthly average total heating value, the results of all tests of heating value made on each day during the calendar month on which tests are made shall be averaged, and the average of all the daily averages shall be taken as the monthly average.
- d) No utility shall change its present standard of heating value without first obtaining the consent of the Commission.
- e) Each utility furnishing manufactured gas, liquefied petroleum gas or a mixture of such gases with natural gas, and whose output exceeds fifteen million cubic feet of gas per year, shall test the heating value of such gas on at least five days of each week at such point or points on its system as may be designated or approved by the Commission from time to time. In communities and territories where straight natural gas service is furnished from a common natural gas pipeline system, heating value tests shall be made by the local utility at such frequencies and at such locations as may be determined from time to time by the Commission. Each utility required to make the above tests shall provide and maintain complete

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calorimeter equipment of a type approved by the Commission. In other communities, not hereinabove provided for, tests shall be made as the Commission may require. The methods of testing shall be in accordance with established practices.

- f) In determining the acceptability of equipment and methods of testing, the recommendations of the National Bureau of Standards will be deemed prima facie to set forth established practice of the art.
- g) The records of results of heating value tests made by the utility shall be kept on file, together with all data taken at the time of the test, in sufficiently complete form to permit the convenient checking of the methods and the calculations employed.
- h) Definition of a cubic foot of gas. For the purpose of testing the gas under this Part, a cubic foot of gas shall be taken to be that amount of gas which occupies the volume of one cubic foot when saturated with water vapor at 60 degrees Fahrenheit and under an absolute pressure equal to that of 30 inches of mercury at a temperature of 32 degrees Fahrenheit. For the purpose of measurement to a customer, a cubic foot of gas shall be the amount of gas in a volume of one cubic foot under the conditions existing in such customer's meter as and where installed. A suitable correction factor shall be applied for pressure or for temperature and pressure, when gas is metered at a pressure in excess of 12 inches of water pressure.
- i) Definition of British thermal unit. A British thermal unit is the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit under standard conditions.
- j) Definition of a therm. A therm is a unit of heating value equivalent to 100,000 British thermal units. The number of therms in any given volume of gas can be ascertained by multiplying such given volume of gas in cubic feet by the average total heating value of the gas expressed in British thermal units per cubic foot and then dividing the result by 100,000.

**Section 500.290 Purity of Gas**

- a) Hydrogen Sulphide. Manufactured gas and any mixtures of manufactured and natural gas distributed in this State shall not contain more than one grain of

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hydrogen sulphide per 100 cubic feet. Any test approved by the Commission may be used for the determination of hydrogen sulphide. This purity requirement will be considered as satisfied if a strip of white filter paper, recently moistened with a solution of 100 grains of lead acetate in 100 cubic centimeters of water, be exposed to the gas for one and one-half minutes in an apparatus previously purged, through which the gas is flowing at the rate of approximately five cubic feet per hour, the gas not impinging directly from a jet upon the test paper, and after this exposure the test paper be found not distinctly darker than a second paper freshly moistened with the solution and not exposed to the gas. Test papers shall be kept for one year by a safe and secure method, and shall be available to the Commission if and when desired in that period.

- b) Total Sulphur. Manufactured gas or any mixture of manufactured and natural gas distributed in this State shall not contain more than 30 grains of total sulphur per 100 cubic feet.
- c) Tests of Gas Purity.
  - 1) Each utility supplying manufactured gas or a mixture of manufactured and natural gas shall, for the purposes of record, daily test the gas leaving its holders for the presence of hydrogen sulphide in the manner specified.
  - 2) Each utility supplying manufactured gas or a mixture of manufactured and natural gas whose sales exceed fifty million cubic feet of gas per year shall provide and maintain such approved apparatus and facilities as are necessary for the determination of total sulphur; and each such utility shall at least once a week determine and put on record the amount of total sulphur in the gas distributed by it.

**Section 500.300 Odorization of Gas**

- a) Any gas not having a natural odor to serve as a warning agent in the event of the escape of such gas unburned, shall be artificially odorized in a manner satisfactory to the Commission before its introduction into any local distribution system.
- b) Attention is invited to the provisions of "An Act requiring the use of odor producing liquids in conjunction with the supplying of natural gas to certain buildings" (Ill. Rev. Stat. 1981, ch. 111½, par. 3601), which reads as follows:

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*"Section 1. No person, firm or corporation shall furnish or supply any natural gas to any school or public building unless an odor producing liquid is injected into the gas mains before the gas enters the premises of such school or public building, so that a strong odor will be noticeable whenever a leakage of such natural gas exists."*

**Section 500.310 Extension of Distribution Mains in Urban Areas**

- a)
  - 1) For the purposes of this Section, a customer shall be deemed to be an urban customer where his premises are located within the incorporated limits of a city, village or town, or in territory where the conditions of service reasonably approximate the conditions of service normally found in recognized urban territory; provided, however, that a public utility may file with the Commission for its consideration maps showing the areas deemed to be urban and, when so filed and approved by order or otherwise by this Commission, said maps shall govern. A customer whose premises are not located in urban territory as above described, will be considered as a rural customer. The foregoing shall be interpreted in the light of recognized and accepted practices.
  - 2) The provisions of this Section shall not apply to applicants for service under so-called off-peak or interruptible rate classifications. Said service, when available, shall be governed by an extension provision or agreement which the utility may file with the Commission.
- b) Free Extensions
  - 1) If an extension of a utility's distribution system should be necessary in order to provide firm gas service for an applicant or group of applicants whose premises are located in urban areas within which the utility operates, the utility, upon written request for service by such applicants, shall without charge make the necessary main extension along a street, highway or other right-of-way to the nearest point adjacent to the premises of such applicants, provided the extension does not exceed 100 feet of low pressure system main or 200 feet of high pressure system main per applicant, and provided further that no free extension shall be made from

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existing mains on which refunds are still due from previous deposits. In such event any further extension shall be made only upon the applicant making a deposit equal to the full estimated cost of the further extension required.

- 2) For the purpose of this Section, high pressure system mains are those in which gas is carried to the applicant's premises at a nominal pressure of two pounds or more per square inch, and low pressure system mains are those in which gas is carried at a nominal pressure of less than two pounds per square inch.
  - 3) Distribution systems, as used in this Section, shall not include that portion of a utility's system commonly used as interplant connections.
- c) Extension in excess of free limits.
- 1) If a main extension is necessary to provide firm gas service for an applicant or group of applicants in excess of the free limit as specified in paragraph (b) of this Section, and in an area where the utility operates, the utility shall make the said extension upon agreement by the applicant or group of applicants to comply with the provisions of the following subparagraphs:
    - A) It shall be optional with the utility to file a main extension provision in conjunction with its rate schedule, which main extension provision may be stated in such manner that the applicant will have a choice of obtaining the extension thereunder or obtaining the extension under subparagraph (c)(1)(B) following. If such main extension provision is thus filed and permitted to become effective by the Commission, then the applicant may, at his election, proceed thereunder or proceed under subparagraph (c)(1)(B) following. The said main extension provision, however, may be stated in such manner as to be in lieu of, and not optional to, subparagraph (c)(1)(B) following, but in that case said main extension provision shall not become effective except after showings that it is generally more favorable to applicants than the provisions of subparagraph (c)(1)(B), and after specific action by this Commission by order or otherwise, permitting the same to become effective. If such main extension provision last

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mentioned is thus permitted to become effective, it shall govern the making of extensions in excess of the free limits.

- B) The utility may require the applicant or group of applicants to deposit with the utility the estimated cost of the extension in excess of the free limit (as specified in paragraph (b) of this Section), determined in the manner designated in the next following paragraph (d). The utility then shall refund an amount equal to the average estimated cost, at the time of making such deposit, of constructing in the area 100 feet of low pressure main or 200 feet of high pressure main, for each additional customer whose service shall be taken from the original extension or from any extension thereof within a period of ten years from the making of the original extension, provided that the total amount refunded shall not exceed the original deposit.
- 2) In the event an option is available, applicants will be governed by the majority as applied to any specific extension.
- d) Determination of deposit – The distance of the applicant from the available distribution main, nearest by the route which normally would be followed in making the extension and over which right-of-way is available, shall be used as the basis in determining the necessity for, or the amount of, a deposit.
- e) Commission review – If the extension is of such length, and the prospective business which may be developed by it is so meager as to make it doubtful whether the business from the extension would ever pay a fair compensation for its investment, operation, maintenance and replacement, or for other substantial reasons is unwarranted, the fact shall be reported to the Commission for investigation and determination as to the reasonableness of such extension.

**Section 500.320 Extension of Distribution Mains in Rural Areas**

- a)
  - 1) A customer whose premises are not located in urban territory as described in Section 500.310 shall be considered as a rural customer.
  - 2) Distribution systems, as used in this Section, shall not include that portion

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of a utility's system commonly used as interplant connections.

- 3) The provisions of this Section shall not apply to applicants for service under so-called off-peak or interruptible rate classifications. Said service, when available, shall be governed by an extension provision or agreement which the utility may file with the Commission.

b) Extension Provisions

- 1) If an extension of a utility's distribution system should be necessary in order to provide firm gas service for an applicant or group of applicants whose premises are located in rural areas within which the utility operates, the utility, upon written request for service by such applicants, shall make the necessary main extension along a street, highway or other right-of-way to the nearest point or points adjacent to the point of connection with the service piping of such applicants, upon agreement by the applicant or group of applicants to comply with the provisions of the following subparagraphs:

- A) It shall be optional with the utility to file a main extension provision in conjunction with its rate schedule, which main extension provision may be stated in such manner that the applicant will have a choice of obtaining the extension thereunder or obtaining the extension under subparagraph (c)(1)(B) following. If such main extension provision is thus filed and permitted to become effective by the Commission, then the applicant may, at his election, proceed thereunder or proceed under subparagraph (c)(1)(B) following. The said main extension provision, however, may be stated in such manner as to be in lieu of, and not optional to, subparagraph (c)(1)(B) following, but in that case said main extension provision shall not become effective except after showings that it is generally more favorable to applicants than the provisions of subparagraph (c)(1)(B), and, after specific action by this Commission by order or otherwise, permitting the same to become effective. If such main extension provision last mentioned is thus permitted to become effective, it shall govern the making of extensions.

B)

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- i) The utility may require the applicant or group of applicants to deposit with the utility the estimated cost of the extension determined in the manner designated in the next following paragraph (c). Each subsequent customer to be connected within a period of ten years from the date of making the original extension shall be required to deposit with the utility an amount equal to the sum of the estimated cost of the existing extension plus the estimated cost of any further extension necessary to serve him, divided by the number of depositors for the entire extension. The excess of this deposit over the estimated cost of any further extension necessary to serve him shall be divided equally by the utility among the previous depositors for the extension. In no case shall the amount of such refund to a customer exceed his deposit, nor shall the total of deposits for any extension exceed the estimated cost of making the extension.
  - ii) The foregoing provisions are predicated upon agreement by customers that deposits of customers will be equal. If an extension to an existing main would increase present customers' deposits, the new extension shall be considered as an original extension.
  - iii) If the point of connection with the service piping of a customer is so located that he could be served by extending a separate parallel main at less cost than the amount of deposit which would be required from him for connection to the existing extension, he shall not be required to deposit in excess of the estimated cost of the separate main and he shall not share in any refunds so long as his deposit remains less than that of the other depositors on said extension.
- 2) In the event an option is available, the applicants will be governed by the majority as applied to any specific extension.
- c) Determination of deposit – The distance of the applicant from the available distribution main, nearest by the route which normally would be followed in

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making the extension and over which right-of-way is available, shall be used as the basis of determining the the amount of the deposit.

- d) Commission review – If the extension is of such length and the prospective business which may be developed by it is so meager as to make it doubtful whether the business from the extension would ever pay a fair compensation for its operation, maintenance and replacement, or for other substantial reasons is unwarranted, the fact shall be reported to the Commission for investigation and determination as to the reasonableness of such extension.

**Section 500.330 Information to Customers**

- a)
- 1) Except as hereinafter set forth, bills rendered to customers for metered service shall clearly show at least the following:
    - A) The reading of the meter at the beginning and the date and the reading of the meter at the end of the period for which the bill is rendered, the number of days in the billing period, the volume of gas used, the equivalent number of therms and the conversion factor used (where charges are on a per-therm basis), the meter constant if applicable, the type of service rendered, a complete description of the rate classification under which the customer receives service, and the type of reading which was taken;
    - B) The total amount of the bill and those portions that make it up, listed vertically for easy readability:
      - i) the monthly customer charge or portion thereof;
      - ii) the demand charges, if any;
      - iii) the cost of gas detailed by the number of therms used and the price per therm for each change in the unit price;
      - iv) the cost of gas adjustment;
      - v) any other applicable adjustments (other charges not under categories of charges but relating to services, energy, or

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other programs provided to customers by the utility);

vi) state tax;

vii) municipal tax, if any;

- C) The average use per day for the period over which the bill is rendered and for the comparable period one year earlier, and an indication of the difference in temperatures between the two periods. If such information is not available for a customer, the bill shall so state;
- D) Definitions or explanations of any abbreviations and technical words used on the bill.

2)

- A) All utilities shall file with the Commission a proposed tariff under Section 9-201 of The Public Utilities Act (Ill. Rev. Stat. 1985, ch. 111 $\frac{2}{3}$ , par. 9-201) which contains a bill form complying with the requirements of subsection (a)(1). All billings after January 1, 1989 shall comply with the requirements of subsection (a)(1).
- B) In cases , however, where these requirements would place an undue burden upon small utilities, "small" being defined as those utilities serving 15,000 or fewer customers in the State of Illinois, a utility may file with the Commission, in accordance with 83 Ill. Adm. Code 200, a petition for approval of an alternative proposed form of billing. In deciding whether to approve an alternative form of billing, the Commission will weigh the cost of adding the information against the small utility's operating budget. In the event that the utility in question serves more than half of its customers in another state, the alternative proposed form of billing may take the form of the bill used in the other state, provided that this bill contains substantially the same information required subsection (a)(1). Otherwise, this proposed form of billing shall include such information set forth in subsection (a)(1) as can reasonably be placed on such a bill. In determining what information can reasonably be placed on such a bill, the Commission shall consider the following:

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- i) the benefit to customers of including various types of information, and
  - ii) the cost of providing these types of information to customers.
- b) Each utility shall, upon request, specifically inform any customer as to the conditions under which efficient and economical service may be secured from its system.
- c)
  - 1) Attention is invited to Section 8-302 of The Public Utilities Act (Ill. Rev. Stat. 1985, ch. 111<sup>2</sup>/<sub>3</sub>, par. 8-302), which reads as follows:

*The Commission shall require that every public utility furnishing natural or artificial gas, electricity or water to the public, where the individual consumption is measured by meter, shall, upon written request of any consumer, cause the meter reader at the time of reading such consumer's meter to leave at such meter a card showing the present reading of the meter, the last previous reading, and the dates of such two readings.*
  - 2) The Commission hereby requires that each public utility so furnishing gas service cause its meter readers to leave a card showing such meter readings and dates, on written request, in accordance with the foregoing provision of the Act.
- d)
  - 1) Each gas utility shall transmit to each of its customers a clear and concise summary of the existing rate schedules applicable to that customer and shall identify any rate schedules not summarized which are available to that customer. The summary shall be transmitted, at a minimum, within the second complete billing cycle after increased rates become totally effective following the issuance of a final order in any rate proceeding. In the case of the utility that uses a bi-monthly system, the summary shall be transmitted within the first complete billing cycle after increased rates become totally effective following the issuance of a final order in any rate

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proceeding. If summaries are sent during a period in which proration occurs, a statement such as the following shall be incorporated in the text of the summary:

"This summary is being sent during a period in which proration occurs. Proration is when part of your bill is charged on old rates and part of your bill is charged on new rates. If an attempt is made to calculate your bill using this rate summary, your calculation will not yield the proper billing amount for this billing period, but will do so in subsequent months. We recommend that you retain this summary for future reference in computing proper billing amounts."

- 2) This summary shall be transmitted to each new customer, not later than 60 days after the date of commencement of service, through a billing insert, separate mailing or direct customer contact by a utility representative.
- e) The summary shall contain the following minimum requirements:
- 1) A description of the rates or charges for the rate classification under which the customer receives service;
  - 2) An identification and explanation of optional or experimental rates or classifications available to customers; and
  - 3) An identification and explanation of all charges that are not related to costs incurred in service and the supply of energy to that customer.
- f) In addition, for customers served under the residential and commercial classifications, this summary shall contain the following:
- 1) An explanation of the terms appearing on the customer's bill form; and
  - 2) An example of how to calculate a bill using the customer's existing rate; and
- g) Each gas utility, upon request by a customer, shall transmit at a minimum a clear and concise statement of the actual consumption of energy by such customer at the customer's present billing address for each billing period during the

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immediately preceding twelve-month period for which that customer was receiving service.

**Section 500.335 Information to REAPP Customers (Repealed)****Section 500.340 Maintenance and Replacement of Service Pipes**

- a) For the purpose of this Section, a service pipe shall be the piping extending from the utility's main to and including the first fitting or valve inside the building wall, and in the case of outside meters the piping extending from the utility's main to the inlet connection of the meter.
- b) The utility shall at its own expense remove all condensate, water or other matter accumulating in any service pipe that may interfere with the uniform flow of gas. Existing service pipe so laid as to cause an interference with service on account of freezing shall be changed at the utility's expense to eliminate trouble from this source, and traps in service pipes which repeatedly cause pressure trouble shall be permanently removed at the utility's expense. Service pipes hereafter installed or replaced in low pressure systems preferably shall be not smaller than one inch in diameter and existing construction should be made to conform with this requirement when pressure conditions become unsatisfactory or when other conditions make replacement advisable.
- c) If it becomes necessary to replace a service pipe to furnish satisfactory pressure to a residential or commercial customer, the utility shall at its own expense make such change unless it can show to the satisfaction of the Commission that such service pipe was not installed at its direction or under its supervision, and that the original installation was not made in accordance with specifications effective at the time the pipe was laid. When it becomes necessary to enlarge materially a service pipe for any purpose, the matter may be brought to the attention of the Commission for a determination as to the reasonableness of requiring the utility to bear the expense.

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- 1) Heading of the Part: Standards of Service for Gas Utilities and Alternative Gas Suppliers
- 2) Code Citation: 83 Ill. Adm. Code 501
- 3) 

<u>Section Numbers</u> :	<u>Proposed Actions</u> :
501.10	Amendment
501.20	Amendment
501.110	Amendment
501.160	Amendment
501.180	Amendment
501.190	Amendment
501.200	Amendment
501.230	Amendment
501.250	Amendment
501.270	Amendment
501.280	Amendment
501.610	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 8-301, 8-302, 8-501, 9-201, 10-101, 10-107, 19-110(e)(3) and 19-115(b)(1), (b)(4) and (b)(5) of the Public Utilities Act [220 ILCS 5/8-301, 8-302, 8-501, 9-201, 10-101, 10-107, 19-110(e)(3) and 19-115(b)(1), (b)(4) and (b)(5)]
- 5) A Complete Description of the Subjects and Issues Involved: The amendments proposed here make a number of corrections to Part 501, which will apply beginning on January 1, 2017, taking the place of Part 500. Among other things, the amendments correct cross-references within the rules and correct citations to materials incorporated by reference. Also proposed is a change to Section 501.160(g) that would expand the roster of national measurement institutes that may serve as sources for calibration standards.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes

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- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: The proposed rulemaking neither creates nor expands any State mandate on units of local government, school districts, or community college districts.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed within 45 days after the date of this issue of the *Illinois Register* in Docket No. 16-0256 with:
- Elizabeth Rolando, Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield IL 62701
- 217/782-7434
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will affect any subject jurisdictional entities that are also small businesses as defined in the Illinois Administrative Procedure Act. This rulemaking will not affect any small municipalities or not-for-profit corporations.
- B) Reporting, bookkeeping or other procedures required for compliance:  
Bookkeeping and filing procedures
- C) Types of professional skills necessary for compliance: Managerial and accounting skills
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: The Commission did not anticipate the need for this rulemaking at that time.

The full text of the Proposed Amendments begins on the next page:

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TITLE 83: PUBLIC UTILITIES  
CHAPTER I: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER d: GAS UTILITIESPART 501  
STANDARDS OF SERVICE FOR GAS UTILITIES AND  
ALTERNATIVE GAS SUPPLIERS

## SUBPART A: GENERAL

## Section

- 501.5 Effectiveness of this Part
- 501.10 Definitions and Incorporations by Reference
- 501.20 Application
- 501.30 Exemption or Modification
- 501.40 Complaints
- 501.50 Customer Call Centers

## SUBPART B: NATURAL GAS MEASUREMENT REQUIREMENTS

## Section

- 501.100 Application of Subpart B
- 501.110 Location and Installation of Meters
- 501.120 Meter and Equipment Handling Requirements
- 501.130 Trained Personnel
- 501.140 Compressibility and Supercompressibility
- 501.150 Fixed Factor Delivery
- 501.160 Testing Facilities and Equipment
- 501.170 Meter Accuracy Requirements
- 501.180 Diaphragm Meters
- 501.190 Rotary Meters
- 501.200 Turbine Meters
- 501.210 Orifice Meters
- 501.220 Multi-Path Ultrasonic Meters
- 501.230 Coriolis Meters
- 501.240 Other Meter Types
- 501.250 Sample Testing of Diaphragm Meters
- 501.260 Meter Tests Requested by the Customer
- 501.270 Commission Referee Tests

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501.280	Meter Tests Requested by Natural Gas Suppliers
501.290	Meter Installation Inspection
501.300	Correctors
501.310	Transmitters
501.320	Gas Chromatograph

## SUBPART C: CUSTOMER INFORMATION

Section	
501.400	Corrections and Adjustments for Measurement Error
501.410	Information to Customers
501.420	Meter Reading

## SUBPART D: GAS SERVICE STANDARDS

Section	
501.500	Pressure Regulation
501.510	Pressure Survey
501.520	Interruptions of Service
501.530	Heating Value
501.540	Good Engineering Practice

## SUBPART E: EXTENSION OF MAINS

Section	
501.600	Extension of Distribution Mains in Urban Areas
501.610	Extension of Distribution Mains in Rural Areas

**AUTHORITY:** Implementing and authorized by Sections 8-301, 8-302, 8-501, 9-201, 10-101, 10-107, 19-110(e)(3) and 19-115(b)(1), (b)(4) and (b)(5) of the Public Utilities Act [220 ILCS 5/8-301, 8-302, 8-501, 9-201, 10-101, 10-107, 19-110(e)(3) and 19-115(b)(1), (b)(4) and (b)(5)].

**SOURCE:** Adopted at 39 Ill. Reg. 12494, effective August 25, 2015; amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL

**Section 501.10 Definitions and Incorporations by Reference**

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## a) Definitions

"Act" means the Public Utilities Act [220 ILCS 5].

"AGA" means the American Gas Association.

"Alternative Gas Supplier" has the same meaning as in Section 19-105 of the Act.

"ANSI" means the American National Standards Institute.

"Answer Time" means a measurement from the point the customer dialed the last digit of the natural gas public utility's or alternative gas supplier's telephone number and a natural gas public utility or alternative gas supplier representative or automated system is ready to render assistance or accept information to process calls.

"Auxiliary Equipment" means an integral device attached directly or remotely to a gas meter. The function of auxiliary equipment is to adjust gas meter usage measurements to account for changes in gas temperature or pressure.

"Bell Prover" means a cylindrical metal tank open at the top and nearly filled with liquid, in which a smaller calibrated cylindrical tank called the bell, open at the bottom and having a dome-shaped top, can be raised or lowered. As the operator raises (negative pressure) or lowers (positive pressure) the bell, the bell will displace a known volume of air.

"British Thermal Unit" or "BTU" means the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit from 58.5°F to 59.5°F under a standard pressure of 30 inches of mercury at 32°F, or 1054.804 Joules.

"Complaint" means an objection made to a natural gas public utility or alternative gas supplier, by a customer or another entity, as to its charges, facilities or service. Complaints include a customer or other entity identifying and asking a natural gas public utility or alternative gas supplier to address or resolve a problem or concern and shall not include contacts that are limited to inquiry or seeking information.

"Compressibility" means a gas volume correction factor calculated by using the parameters of natural gas composition, flowing gas temperature, and flowing gas

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pressure. The compressibility correction factor compensates for the deviation of gases from the ideal gas laws with increased pressure and with variations in temperature and gas composition. Compressibility is not to be confused with "supercompressibility", which is also defined in this Section.

"Coriolis Meter" means a gas meter that infers mass flow rate by measuring tube displacement resulting from the Coriolis effect.

"Corrector" means a device that corrects uncorrected gas meter volume according to the gas laws (Boyle's Law, Charles' Law, and Real Gas Law).

"Commission" means the Illinois Commerce Commission.

"Commission Referee Test" means the accuracy test of any gas meter made in the presence of one or more members of Commission Staff.

"Cubic Foot" means the unit of volume for purposes of measurement at a base temperature of 60°F at a base pressure of 14.73 pounds per square inch absolute.

"Custody Transfer Meter" means the meter, auxiliary equipment and tertiary equipment a utility uses to measure a customer's gas usage.

"Diaphragm Meter" means a positive displacement, bellows-type gas meter that alternately fills and empties compartments of known volume and totals the number of times the cycle occurs to determine the volume of gas passing through the meter.

"Defective Meter" means a meter whose condition is impairing service to a customer or a meter that has failed the requirements of Sections [501.170](#), [501.180](#), [501.190](#), [501.200](#), [501.210](#), [501.220](#) or [501.230](#) ~~500.170, 500.180, 500.190, 500.200, 500.210, 500.220 or 500.230~~.

"Flow Computer" means a device that electronically converts signals from a gas measurement system to a useful form such as flow rate.

"Fixed Factor" means the use of a gas pressure regulator to control gas pressure within an allowable pressure band over the required flow rate range considering the variation of inlet pressures and results in the application of a pressure

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correction factor applied via an arithmetic application or special index to a customer's measured usage.

"Master Bell" means a primary bell prover used as a reference standard for target proof correlations and bell prover interface recertification.

"Measurement Error" means an error in the calculation of a customer's gas usage due to the inaccuracy or improper setup of a utility's meter or other equipment whose function directly or indirectly affects the utility's measurement of a customer's gas usage.

"Meter Accuracy" means the overall performance of a particular meter in relationship to a known reference or portable standard.

"Meter Soaking Room" means a room maintained at the same atmospheric conditions as the meter proving room. The purpose of a meter soaking room is to store and acclimatize meters prior to testing to ensure meter testing accuracy that is not affected by temperature variations.

"Multi-path Ultrasonic Meter" means a device that derives gas flow rate by measuring the transit times of high-frequency sound pulses. Sound pulses transit between pairs of transducers located on or in the gas pipe.

"Natural Gas Supplier" means an alternative gas supplier or any other natural gas supplier providing the natural gas commodity to a customer under a gas utility tariff or rider.

"Orifice Meter" means an inferential meter that consists of an orifice plate perpendicular to the gas flow in a pipe. When gas flows across the orifice, it creates a pressure differential. Transmitters and transducers measure the pressure differential, static pressure, and other variables to determine the flow rate. The flow rate is proportional to the square root of the differential pressure across the orifice plate.

"Portable Standards" means instruments that utilities use in the field or the meter shop to test the accuracy of auxiliary and tertiary equipment, transmitters, and other equipment associated with correcting a meter's output.

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"Proving Room" means a temperature-controlled room where the utility uses equipment to determine the accuracy of meters.

"Rated Capacity" or "Badged Capacity" means the hourly gas throughput of a meter as defined by the meter manufacturer.

"Reference Standards" means instruments that utilities use only for verifying the accuracy of portable standards, and whose accuracy is traceable back to the national standard maintained by the National Institute of Standards and Technology (NIST) or its successor.

"Rotary Meter" means a positive displacement meter that alternately fills and empties rotating compartments of known size and totals the number of times the cycle occurs to determine the volume of gas passing through the meter.

"Service Applicant" means a person who applies for residential or non-residential utility service for a location where the utility has not yet installed the meter.

"Small Commercial Customer" has the same meaning as in Section 19-105 of the Act.

"Sonic Nozzle Automatic Prover" means a device containing a parallel bank of sonic flow nozzles that it uses to determine actual gas volume passed through a gas meter in order to determine the gas meter's accuracy.

"Sub-metering" means the placement of a meter downstream of a custody transfer meter.

"Supercompressibility" means a value used in some flow equations for differential pressures (for example, orifice metering). In general, the supercompressibility factor is equal to the square root of the quotient of gas compressibility at base conditions divided by the gas compressibility at flowing conditions. Supercompressibility is not to be confused with "compressibility".

"Tertiary Equipment" means a device that electronically converts signals from a gas measurement system (meter or auxiliary equipment or both) to a useful form such as flow rate (for example, flow computers).

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"Therm" means a unit of measurement representing a quantity of heat equivalent to 100,000 BTUs and expresses the energy content of natural gas.

"Transducer" means a sensing element capable of transforming values of physical properties such as pressure or temperature into equivalent electrical signals.

"Transmitter" means a device designed to enhance the transmission of information from a transducer to a flow computer by the addition of an electrical circuit that converts the transducer output to a standard signal in analog, digital or frequency form.

"Turbine Meter" means an inferential meter that measures gas flow by counting the revolutions of a rotor with blades, which turn in proportion to the gas flow velocity.

- b) Incorporations by Reference. The following materials are incorporated by reference as of the date stated and include no later editions or amendments.

American Gas Association, 400 North Capitol Street, NW, Washington DC 20001

AGA Report No. 3, Orifice Metering of Natural Gas – Part 2: Specification and Installation Requirements, XQ0002 ([April 2000](#))(~~January 1, 2000~~)

AGA Report No. 7, Measurement of Natural Gas by Turbine Meter, [XQ0601 \(February 2006\)](#)~~XQ0604 (January 1, 2006)~~

AGA Report No. 9, Measurement of Gas by Multipath Ultrasonic Meters, XQ0701 (April 1, 2007)

AGA Report No. 11, Measurement of Natural Gas by Coriolis Meter, XQ1301 (February 1, 2013)

AGA Gas Measurement Manuals – Part 15: Electronic Corrector, XQ9901 (May 1999)

AGA Gas Measurement Manuals – Part 8: Electronic Flow Computers and Transducers, Revised (1988), XQ8805 (May 1988)

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American National Standards Institute and American Society for Quality  
(American National Standards Institute, 25 West 43<sup>rd</sup> Street, 4<sup>th</sup> Floor, New York,  
New York 10036)

Sampling Procedures and Tables for Inspection by Attributes, ANSI/ASQ  
Z1.4-2008 (January 1, 2008)

American National Standards Institute and American Gas Association (American  
National Standards Institute, 25 West 43<sup>rd</sup> Street, 4<sup>th</sup> Floor, New York, New York  
10036)

Diaphragm-Type Gas Displacement Meters (Under 500 Cubic Feet Per  
Hour Capacity), ANSI B109.1-2000, AGA XQ0008 (June 2000)

Diaphragm-Type Gas Displacement Meters (500 Cubic Feet Per Hour  
Capacity and Over), ANSI B109.2-2000, AGA XQ0009 (June 2000)

Rotary-Type Gas Displacement Meters, ANSI B109.3-2000, AGA  
XQ0010 (June 2000)

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 501.20 Application**

This Part sets forth minimum requirements and shall apply to any natural gas public utility as defined in Section 3-105 of the Act and any alternative gas supplier as defined in Section ~~501.10~~500.10. This Part shall not apply to any natural gas cooperative or to a municipal system when operating within its service territory. A public utility shall retain a record required by this Part for the period specified in 83 Ill. Adm. Code 510 unless this Part requires a longer retention period.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**SUBPART B: NATURAL GAS MEASUREMENT REQUIREMENTS****Section 501.110 Location and Installation of Meters**

- a) A utility shall install a meter on a service applicant's premises as near as practical to the point of entrance of gas service into the service applicant's building or

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utilization area as mutually agreed upon by the utility and service applicant. The utility shall install a meter in a readily accessible location and protect the meter from corrosion and other damage.

- b) A utility shall not install a meter indoors unless outdoor installation is not possible or would make the meter installation financially infeasible. A utility shall not install ~~an indoor~~ meter in sleeping rooms, in small, unventilated areas, or in locations where the installation, reading or removal of the meter may prove difficult or hazardous. A utility shall not install indoor meters less than three feet from any ignition source, ~~air intake~~, or source of heat that might damage the meter. A utility shall not install a meter in a location where expected temperatures are likely to exist outside the range recommended by the meter manufacturer.
- c) A utility shall not install a meter in front of a residential dwelling except with the consent of the service applicant or if no other practical external location is available.
- d) A utility shall install all meters in a secured upright and level position. A utility may vary from this requirement if it installs a meter whose accuracy does not depend upon an upright and level installation. A utility shall install each meter to minimize anticipated stresses upon the connecting piping and the meter.
- e) If it is not practical for a utility to locate a meter installation in a place free of vehicular traffic hazards, the utility shall install meter protection such as guard posts or rails to protect the meter installation from damage. If the utility determines meter protection is necessary, then the utility shall inform the service applicant and include an estimate of the cost for the additional meter protection. The service applicant may install the guard posts or rails prior to the installation of the meter if the utility approves the proposed protection, or the service applicant may reimburse the utility for the cost and installation of the guard posts or rails.
- f) A utility may refuse to install a meter or to serve a service applicant if, in the utility's judgment, the metering installation is hazardous or the service applicant's installation of piping or gas burning equipment is hazardous or of such character that the utility cannot provide service in a manner consistent with the requirements of Section 8-101 of the Act. In case of refusal, the utility shall inform the service applicant in writing of the reason for refusal to render service

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and make the service applicant aware of the refusal to provide service within five business days after the decision to refuse service.

- g) A utility shall not install a meter without a temperature compensation device unless the utility uses a corrector or other acceptable auxiliary equipment to correct the meter's reading for temperature variation. A utility may install non-temperature compensated meters in indoor locations if the utility uses only that type and size of meter in indoor locations.
- h) Each diaphragm, rotary and turbine meter shall have a register or display on the meter or correcting device that displays consumption in a definite and known proportion to the actual energy consumption of the customer, that is plainly visible, and that a customer can read. A customer may waive this requirement in writing. This requirement shall not affect the utility's right to secure meters for safety reasons or in situations in which the meter is subject to excessive risk of damage or tampering. At the customer's request, a utility shall explain to the customer how to read the meter used for billing that customer.
- i) A utility shall avoid installing a meter or auxiliary or tertiary equipment in locations where the meter or auxiliary or tertiary equipment is in direct contact with soil or concrete unless the manufacturer designed the meter or equipment for those conditions.
- j) A utility shall have security seals installed on all meters and auxiliary and tertiary equipment or take measures to secure its equipment in order to deter unauthorized personnel from tampering with it.
- k) A utility shall secure all meter bypass valves when not in use in order to deter unauthorized personnel from tampering with them while also providing a readily apparent visual indication of tampering or other diversion activities.
- l) A utility shall secure a regulator that it uses in conjunction with fixed factor billing if it discovers tampering with the pressure setting.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 501.160 Testing Facilities and Equipment**

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- a) A utility shall provide laboratories, testing shops and other equipment, facilities and personnel as may be necessary to conduct the tests required by this Subpart or other orders of the Commission. A utility's laboratories, meter testing shops, and other equipment and facilities so provided shall be at all times available for inspection by authorized representatives of the Commission.
- b) If a utility selects an agent to perform meter sample testing, meter accuracy tests when a meter is removed from service, and other requirements of this Subpart, or if a utility changes its agent, or if the agent changes the location where it will conduct meter tests, the utility shall notify the Director of the Safety and Reliability Division of the Commission in writing within 60 days after the selection or change. If an agent is selected or changed, the utility shall provide the following information about the new agent:
  - 1) Name of agent;
  - 2) Name of contact for agent;
  - 3) Address and phone number of agent contact;
  - 4) Address of location where agent will conduct meter tests;
  - 5) Summary of meter types and sizes that agent will test;
  - 6) Summary of services the agent will perform for the utility; and
  - 7) Identification of what changes, if any, caused the need for the notification.
- c) A utility shall provide meter testing equipment, including a bell prover of not less than two-cubic-foot capacity. A utility shall maintain each of its active provers of all types in proper adjustment in order to determine the average accuracy of meters to within one-half of one percent. A utility shall provide suitable thermometers, pressure gauges, and temperature recorders and shall adequately control the temperature of the meter testing room, meter soaking room, and air supply used in testing meters to achieve the meter testing accuracy stated in this subsection. The temperature of the meter testing and soaking room, when in use, shall not vary by more than 4°F during regular operating hours and shall not vary by more than 6°F throughout the year.

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- d) In the event a meter shop experiences temperature variances that exceed those provided in subsection (c), a utility shall immediately stop testing meters in the meter shop until the utility corrects the problem and the temperature returns to the normal levels for at least four continuous hours or the utility can demonstrate that the temperature variance between the meters and testing equipment is less than or equal to 1°F.
- e) A utility that uses a transfer prover to test the accuracy of meters in the field shall verify the transfer prover's accuracy by testing a reference meter on the transfer prover at least every three months. If this testing shows a deviation of more than 0.5% in the reference meter accuracy, the utility must take all necessary repairs or actions to bring the transfer prover's testing of the reference meter to within 0.5% of the prior readings.
- f) An authorized representative of the Commission may check or establish the accuracy of all testing equipment used or intended for use in determining the accuracy of custody transfer meters, as well as the methods of operating that equipment. If a utility uses an agent to test the accuracy of its meters, the utility shall include provisions within its agreement with its agent for the authorized representatives of the Commission to conduct on-site audits of the agent's facility. An authorized representative of the Commission shall perform an audit of the utility's testing equipment and methods at least every three years. The utility shall reimburse the Commission for all expenses related to audits of meter shops used or maintained by the utility or its agents located outside of this State.
- g) A utility shall certify the accuracy of its testing equipment with measurement results that are traceable to the international system of units through at least one of the following national measurement institutes: the National Institute of Standards and Technology for the United States, the National Physical Laboratory for the United Kingdom, the National Research Council for Canada, National Measurement Institute, American Association of Laboratory Accreditation, and the Physikalisch-Technische Bundesanstalt for Germany. ~~against National Institute of Standards and Technology traceable standards.~~ Unless specified in this subsection (g), the maximum certification interval is 36 months.
- 1) A utility shall certify sonic nozzle automatic provers at least every 12 months. A utility shall also conduct the following maintenance at least every 12 months on sonic nozzle automatic provers:

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- A) Inspect and clean nozzles and solenoids;
  - B) Strap and recertify a master bell during the bell interface recertification process;
  - C) Recalibrate prover sensors and instrumentation in accordance with manufacturer's specifications;
  - D) Test the function of the optical sensor; and
  - E) Perform a complete bell interface certification followed by a reference meter target proof analysis.
- 2) Utility verification checks on portable or reference equipment shall meet the following requirements:
- A) A utility shall verify the accuracy of a portable standard against a reference standard at least every 12 months. If the portable standard exhibits an error greater than 0.5%, the utility shall adjust the portable standard to read within 0.5% or replace the portable standard, or shall apply the proper correction factor.
  - B) If a utility does not operate a reference standard, the utility shall certify or replace its portable standards at least every 12 months.
  - C) A utility shall certify a reference standard at least every 36 months.
  - D) A calibration certificate, verification certificate, or card signed or initialed by the person responsible for the calibration shall accompany a portable standard and a reference standard at all times. A utility, in lieu of maintaining the certificate or card with the device, may maintain the certificate or card in a central location or database that is available to Commission Staff upon request. A certificate or card shall provide the date and results of the last calibration or verification of the instrument. A utility, after each successive issuance of certificates or cards, shall keep any superseded certificates or cards on file for at least three years.

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- h) A utility that tests meters with a rated capacity of 800 cubic feet per hour or less shall use one or more reference meters to conduct equipment checks every week. A utility shall designate and label reference meters for meter shop use only, and shall not adjust reference meters in any manner once in service unless they are in need of repair. A utility shall fully document all alterations to a repaired reference meter, including before and after accuracies. A reference meter shall carry a rating of 800 cubic feet per hour or less and shall have a similar size to the meters the utility tests. Every week during periods when a utility expects to test meters, a utility shall test a reference meter on each prover that the utility uses to test meters of the reference meter's size. A utility shall record reference meter test results, including temperature, when testing on a sonic nozzle automatic prover, and shall record the test results, temperature test flow times and bell pressure when testing on a bell prover. If the reference meter tests indicate an accuracy problem with any equipment, the utility shall cease using that equipment until the utility repairs the equipment.
- i) A utility shall allow meters tested within a meter testing facility to acclimate in the room containing the testing equipment or meter soaking room for at least 12 hours prior to testing. This acclimation time is not required if the utility can show that it has taken sufficient actions to bring the meter temperature and the testing equipment to within 1.0°F of each other.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 501.180 Diaphragm Meters**

- a) A utility shall install a new diaphragm meter set and revisions to an existing diaphragm meter set in accordance with the recommendations of ANSI B109.1, XQ0008 (June 2000) for diaphragm meters with a rated capacity less than 500 cubic feet per hour and in accordance with ANSI B109.2, XQ0009 (June 2000) for diaphragm meters with a rated capacity of 500 cubic feet per hour or greater.
- b) A utility furnishing natural gas service with diaphragm meters shall ensure the use of suitable meter proving or testing equipment to determine the accuracy of the meter. The average accuracy of a diaphragm meter is determined by averaging the accuracy of the check and open flow rates.
- 1) The open rate is 95% to 105% of the rated capacity.

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- 2) The check rate is 20% to 33% of the rated capacity.
- 3) The maximum allowable accuracy spread between the open and check rates' accuracy is 1.0%.
- c) A utility shall conduct periodic accuracy tests on all installed diaphragm meters at least every 120 months unless the utility has provided notification to the Commission regarding its plans to conduct sample testing in accordance with Section ~~501.250~~500.250.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 501.190 Rotary Meters**

- a) A utility shall install all rotary meters or revisions to existing rotary meter sets in accordance with the recommendations of ANSI B109.3, XQ0010 (June 2000).
- b) A utility furnishing gas service through a rotary meter shall verify that the meter's accuracy meets the requirements of Section ~~501.170(a)~~500.170(a) before placing the meter in service.
  - 1) A utility may rely on the manufacturer's factory accuracy test to demonstrate that a new rotary meter meets the Section ~~501.170(a)~~500.170(a) requirements only if the utility also conducts quality assurance reviews on its new rotary meters.
  - 2) A utility that conducts quality assurance reviews must group the new meters into meter lots consisting of the same size and manufactured under the same conditions. The utility must then sample test these lots in accordance with a single sample plan for normal inspection, Inspection Level II, of ANSI/ASQ Z1.4-2008 using an acceptable quality level not to exceed 1.0%.
  - 3) In the event that a meter lot fails, the utility must either return the meters to the manufacturer or test all of the meters in the lot to verify compliance with Section ~~501.170(a)~~500.170(a).
  - 4) A utility shall retain a record of a meter's accuracy test for the life of the meter.

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- c) A utility shall differential test an in-service rotary type positive displacement meter at least every 60 months. If the meter's pressure differential for a given flow rate is more than 50% higher than the utility's initial differential test or the factory published differential curve, a utility shall return the differential to a value below the 50% limit. If the utility cannot return the meter's differential to below the 50% limit, the utility shall clean and retest the rotary meter within 7 days and, if the meter's pressure differential is still more than 50% higher than the utility's initial differential test or the factory published differential curve, the utility will replace the meter within 60 days. If the meter is of sufficient size that portions of a customer's structure require modification to remove the meter, then the utility will replace the meter within 90 days unless the utility and customer agree to a longer period, not to exceed 180 days.
- d) If a utility documents conditions at the meter that prevent the utility from obtaining a differential reading from the meter, then the utility may delay verification until those conditions cease to exist or for four months, whichever is shorter. If a utility delays verification, it shall maintain for three years documentation of the conditions that prevented verification within the required 60 months and provide the documentation to an authorized representative of the Commission when requested.
- e) In lieu of the differential test requirement in subsection (c), a utility may conduct an accuracy test of a rotary meter. The average accuracy of a rotary meter is determined by averaging the accuracy of the check and open flow rates.
- 1) The check rate is 10% to 33% of the meter's rated capacity.
  - 2) The open rate is 60% to 105% of the meter's rated capacity. The utility may substitute the proving equipment's maximum capacity for the open flow rate if the meter's required testing volume exceeds the utility's testing equipment's capacity.
- f) A utility shall maintain the most recent 10 years of inspection records, as well as the dates of all inspections of rotary meters.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 501.200 Turbine Meters**

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- a) A utility furnishing natural gas service with turbine meters shall install new turbine meters or revisions to existing meter sets in accordance with the recommendations contained in AGA Report No. 7, Measurement of Natural Gas by Turbine Meters, XQ0601 (February 2006).
- b) A utility shall accuracy test a turbine meter at least every 60 months.
- 1) A utility shall atmospherically test the accuracy of a turbine meter with an operating pressure not exceeding 25 psi at a minimum of four different flow rates of not less than 10% of meter capacity and not more than 105% of the meter capacity.
  - 2) A utility shall accuracy test turbine meters with an operating pressure exceeding 25 psi at the expected operating pressure of the meter installation using at least five flow rates of not less than 10% of meter capacity and no more than 105% of the meter capacity. A utility may install a turbine meter at a location where the operating pressure falls within the range of 50% less than or two times greater than the pressure of the meter's accuracy test. For example, a turbine meter that was accuracy tested at 100 psi is acceptable for delivery pressures from 50 psi (50% of 100) through 200 psi (2 x 100).
  - 3) A utility may accuracy test its turbine meters in natural gas or air. A utility that conducts accuracy tests with air shall account for the Reynolds number equivalence as set forth in AGA Report No. 7, Measurement of Natural Gas by Turbine Meters, Appendix E, XQ0601 (February 2006).
  - 4) When tested at the expected delivery pressure of the in-service location, a turbine meter shall demonstrate a tested accuracy within  $\pm 1.0\%$  of the accuracy shown over the manufacturer's entire published flow range.
- c) A utility furnishing natural gas service with a dual rotor turbine meter that has an external means of verifying meter accuracy may extend the accuracy test requirement to at least every 120 months if the utility can demonstrate that it verifies the accuracy of the meter at least every six months and that the meter's performance meets the manufacturer's guidelines.

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- d) A utility shall spin test and, if necessary, lubricate its turbine meters at least every 12 months. If a turbine meter is not equipped with external lubrication provisions or external means of verifying the operation of the meter, a utility shall spin test the meter every six months. If the turbine meter's spin time is not equal to or greater than the minimum spin time specified by the manufacturer, the utility shall make corrections to the meter to allow the spin time to equal or exceed the manufacturer's specifications.
- e) A utility is not required to conduct a spin test of its dual rotor turbine meter if the utility furnishes natural gas service with a dual rotor turbine that has an external means of verifying rotor health, the utility can demonstrate that it verifies the health of the rotor at least every six months, and the utility can demonstrate the performance of the rotor meets the manufacturer's guidelines.
- f) A utility shall maintain the most recent five years of inspection records, as well as the dates of all inspections for the most recent 10 years, except accuracy tests. A utility shall maintain documents for each turbine meter's most recent accuracy test, the prior accuracy test, and the dates of any other accuracy test that occurred during the prior 10 years.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 501.230 Coriolis Meters**

- a) A utility shall install a Coriolis meter in accordance with the recommendations of AGA Report #11, Measurement of Natural Gas by Coriolis Meter, XQ1301 (February 2013).
- b) A utility shall verify the proper operation of an installed Coriolis meter at least every 12 months by verifying that the meter meets the manufacturer's tolerances using, at a minimum, all of the following inspection requirements:
  - 1) Meter zero flow check;
  - 2) Meter sensor check; and
  - 3) Meter transmitter check.

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- c) A utility shall calibrate a Coriolis meter at least every 120 months. However, if the utility can demonstrate that the meter meets the manufacturing tolerances set forth in Section ~~501.220(b)~~~~500.220(b)~~ and the utility conducts an annual inspection of the meter body to ensure that the meter body has not incurred damage that would affect the meter's accuracy, the utility may forego the 120-month calibration requirement.
- d) When a utility removes a Coriolis meter from service, the utility shall verify the meter's existing accuracy prior to altering the operation of the meter. This verification replaces the requirements of Section ~~501.170(d)~~~~500.170(d)~~ for Coriolis meters.
- e) A utility shall maintain the most recent five years of inspection records. A utility shall also maintain documents for each Coriolis meter's most recent accuracy test, the prior accuracy test, and the dates of any other accuracy test that occurred during the prior 10 years.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 501.250 Sample Testing of Diaphragm Meters**

- a) A utility may, at its option and upon giving notice to the Commission, adopt scientific sample procedures for new and in-service diaphragm meters.
- b) A utility shall develop sample testing lots for new meters that consist of meters of a single type and size that were manufactured under the same conditions and at essentially the same time. All sample testing procedures shall be in accordance with Inspection Level II of ANSI/ASQ Z1.4-2008.
- c) A utility shall establish meter sample testing lots for in-service meters that consist of meters of a similar type, size and year of installation or year of purchase. In the ninth and every subsequent year thereafter that the meters are in service, a utility shall test their accuracy in accordance with Inspection Level II of ANSI/ASQ Z1.4-2008.
- d) In order to comply with the accuracy limits of Section ~~501.170~~~~500.170~~, a utility's sample testing plan for new meters shall provide an acceptable quality limit not to exceed 1.0% in order to assure a process average of at least 99%.

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- e) A manufacturer shall test a new meter, and the resulting test record shall accompany the meter to retirement. A utility shall use the manufacturer's test as the initial test of the meter. However, if a utility tested the new meter prior to placing it into service, then the utility shall use its test as the meter's initial test.
- f) A utility's sample testing plan for meters in service shall provide an acceptable quality limit of 6.5% in order to assure a process average of at least 93.5%. A meter is deviant if the average of its check-rate and capacity-rate accuracy test results in accuracy more than 3.0% fast or 3.0% slow. A utility must complete all sample tests by the end of the calendar year in which the tests are due for completion.
- g) If a utility determines that a meter lot has failed sample testing, the utility shall remove all remaining meters in the failed lot from service within 24 months after completion of the current year's sampling.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 501.270 Commission Referee Tests**

- a) Subject to the provisions of subsection (b), a customer may not request a referee test of a meter used to measure the customer's gas consumption if the utility that provides service to the customer does not have the necessary testing equipment.
- b) If a customer requests a referee test of the meter used to measure the customer's gas consumption, but the utility's testing facility is located out of state, the utility shall provide the option of having the meter tested at an in-state testing facility, provided the alternative location is in good standing with the Commission and the location is capable of testing the meter. A meter shop is in good standing if a Commission representative has conducted a review of the facility for compliance with the requirements of this Part within the last 40 months and the meter shop has no outstanding non-compliance issues associated with its ability to accurately measure meter accuracy. A Commission representative shall advise, upon request of a utility, if a meter shop is in good standing.
- c) A utility shall conduct a referee test of a meter within 45 days after receiving notice from a Commission representative of a customer's request if the meter testing facility that the utility uses to conduct the test is located in-state. The utility shall conduct the meter test between 7 a.m. and 4 p.m. Monday through

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Friday, excluding holidays, at a date and time agreed upon by the utility, the customer and the Commission representative, unless the utility, the customer and the Commission representative agree to a different day or time.

- d) A utility shall conduct a referee test of a meter within 90 days after receiving notice from a Commission representative of a customer's request if the meter testing facility that the utility uses to conduct the test is located out of state and the customer requesting the referee test selects the out-of-state location, unless the customer agrees to a later time. The utility shall conduct the meter test between 7 a.m. and 4 p.m. Monday through Friday, excluding holidays, at a date and time agreed upon by the utility, the customer and the Commission representative, unless the utility, the customer and the Commission representative agree to a different day or time.
- e) Upon written application to the Commission by a customer and upon notice to a utility by a Commission representative, a utility under the oversight of a Commission representative shall conduct an accuracy test of a meter that was the subject of the written request, provided the customer has not requested a meter accuracy test under this Section or under Section ~~501.260~~500.260 in the 12 months prior to the request. A customer shall make a written request for a meter test and pay a fee, as provided in this subsection, to the Commission. A utility shall inform the customer or a Commission representative, upon request, of the size and type of meter used to serve the customer. If the accuracy test indicates that the meter over-registers by more than 2.0%, the utility shall refund the fee to the customer.

SCHEDULE OF FEES

<u>Rated capacities in cubic feet per hour</u>	<u>Fee</u>
Diaphragm meters up to 650	\$40
Diaphragm meters from 651 to 1,500	\$80
Diaphragm meters in excess of 1,500	\$120
Rotary meters up to 1,500	\$40
Rotary meters from 1,501 to 12,000	\$80
Rotary meters from in excess of 12,000	\$120
Turbine meter tested in utility shop at atmospheric pressure	\$120
Metering types not listed but tested in utility shop	\$120

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- f) If a customer is required to pay the costs of a meter test under Section ~~501.260~~~~500.260~~ because of the type or size of the meter, the customer must pay the utility the same costs under this Section, in addition to the fee to the Commission under subsection (e).
- g) Upon notice of a referee test from a Commission representative, a utility shall not disturb the meter that was the subject of the written referee test request in any manner, unless a Commission representative or the customer provides authorization. The utility shall document the authorization by recording the name of the person giving the authorization and the date and time of the authorization. The utility shall provide this authorization documentation to the Commission representative at the time of the referee test.
- h) When a utility removes a meter for purposes of a referee test, the utility or Commission representative shall deliver the meter to the utility's meter testing facility, and the utility shall secure the meter to prevent potential tampering or disturbance from in-service conditions until the referee test begins.
- i) A utility shall waive the 12-month waiting period identified in subsection (e) for Commission referee tests if a customer makes one of the following demonstrations:
- 1) A deviation in the customer's measured gas usage in excess of 10% occurred following the utility's installation of a different meter on the customer's service and the difference is not attributable to weather or the customer's process changes; or
  - 2) Relevant facts that point to potential accuracy problems with the meter.
- j) If a utility removes a meter for testing but before the testing occurs is notified by the customer that the customer plans to request a referee test of the meter, the utility shall not test the meter and shall secure the meter to prevent potential tampering or disturbance from in-service conditions until the referee test begins. If, after 60 days from when the utility removed the meter for testing, the customer has not filed a request with the Commission for a referee test, the utility shall send a notice in writing to the customer informing it of the following:
- 1) The notice shall state that the customer has 30 days in which to complete the request for the Commission referee test.

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- 2) If the customer fails to make its request within the 30 days, the utility, at its option, may conduct the required testing of the meter.
- k) The utility is responsible for contacting the Commission to verify the status of the customer's request for a referee test prior to testing the meter.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 501.280 Meter Tests Requested by Natural Gas Suppliers**

- a) Upon a natural gas supplier's request, provided that the utility or manufacturer has not tested the meter in question within 12 months prior to the request, a utility providing metering service shall test the meter in question within 45 days after receiving the request, unless the natural gas supplier agrees to a later time. The utility shall perform the meter test between 7 a.m. and 4 p.m. on Monday through Friday, excluding holidays, unless the utility and the natural gas supplier agree to a different day or time. The utility shall inform the customer of the natural gas supplier's request and the date and time of the test at least five business days prior to the agreed-upon test date. The utility shall perform the test in the presence of a representative of the natural gas supplier, unless the natural gas supplier waives the right to have a representative present. The utility shall allow the customer or its representative to observe the meter test. The utility shall provide a written summary of the results of the meter test to the natural gas supplier and the customer within five business days.
- b) If a utility or manufacturer has tested a meter within the last 12 months, the utility is not obligated to retest the meter in response to the latest request. Instead, the utility may offer the results of the last test in response to the latest request.
- c) If a requested meter test will not interrupt a customer's gas service, a utility may perform a meter test requested by a natural gas supplier at any time agreeable to the utility and the natural gas supplier. If a requested meter test will interrupt the customer's gas service, then a utility shall obtain permission from a customer to interrupt the customer's service to perform a requested test.
- d) A utility may require a natural gas supplier to pay up to \$10,000 (\$25,000 if performed at a non-affiliated third-party location) for the actual costs of the meter test. A utility performing a meter test at the request of a natural gas supplier shall

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refund the natural gas supplier's payment if the meter test shows that the meter is under-registering by more than 2.0%. A utility shall provide to a natural gas supplier an itemized written statement of the cost of a requested meter test, obtain the natural gas supplier's agreement to pay the stated cost, and receive payment from the natural gas supplier for the requested meter test before taking any action to remove the meter or begin the requested meter test.

- e) A natural gas supplier may request a meter test only for a current customer or for a prior customer if, at the time of the request, the supplier had provided gas supply to that customer within the prior three months.
- f) A natural gas supplier may request a Commission referee test of a meter under the provisions of subsection (c) and Section ~~501.270~~500.270, and shall be responsible for the fee prescribed by Section ~~501.270(e)~~500.270(e) and the actual cost, not to exceed \$10,000, of the test. The utility shall inform the customer of the natural gas supplier's request and the date and time of the referee test at least five business days prior to the agreed upon test date. The utility shall perform the referee test in the presence of a representative of the natural gas supplier, unless the natural gas supplier waives the right to have a representative present. The utility shall allow the customer or its representative to observe the meter test. If the meter over-registers by more than 2.0%, the utility shall refund all fees it charged to the natural gas supplier and make any necessary meter data adjustment.
- g) A utility shall conduct a referee test of a meter within 45 days after receiving notice from a Commission representative of a natural gas supplier's request if the meter testing facility that the utility uses to conduct the test is located in-state, unless the supplier agrees to a later time. The utility shall conduct the meter test between 7 a.m. and 4 p.m. Monday through Friday, excluding holidays, unless the utility, the third party supplier, and Commission representative agree to a different day or time.
- h) A utility shall conduct a referee test of a meter within 90 days after receiving notice from a Commission representative of a natural gas supplier's request if the meter testing facility that the utility uses to conduct the test is located out of state, unless the supplier agrees to a later time. The utility shall conduct the meter test between 7 a.m. and 4 p.m. Monday through Friday, excluding holidays, unless the utility, the third party supplier, and Commission representative agree to a different day or time.

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(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART E: EXTENSION OF MAINS

**Section 501.610 Extension of Distribution Mains in Rural Areas**

- a) Rural Customer
  - 1) A utility shall consider a customer whose premises are not located in urban territory, as described in Section ~~501.600~~501.600.600, as a rural customer.
  - 2) The provisions of this Section shall not apply to applicants for service under tariffs allowing interruptions of service. A utility with service tariffs that allow the utility to interrupt service to a customer shall file with the Commission an extension provision or an agreement with the applicant that shall govern main extensions for service under those tariffs.
- b) Extension Provisions
  - 1) If a utility determines that a main extension is necessary to provide firm gas service for an applicant or group of applicants whose premises are located in rural areas within which the utility operates, the utility, upon written request for service by the applicants, shall make the necessary main extension along a street, highway or other right-of-way to the nearest point or points adjacent to the point of connection with the service piping of such applicants, upon agreement by the applicant or group of applicants to comply with the provisions of this Section.
    - A) A utility may file, in conjunction with its rate schedule, a main extension provision that would provide the utility customer with the choice of obtaining the extension under the provision or under subsection (b)(1)(C). If a utility files a main extension provision and the Commission permits it to become effective, the applicant may, at his or her election, proceed either under the provision or under subsection (b)(1)(C).

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- B) A utility may file a main extension provision that operates in place of, and not as an alternative to, subsection (b)(1)(C), but in that case the main extension provision shall not become effective except after a showing that it is generally more favorable to applicants than are the provisions of subsection (b)(1)(C) and, after specific action by the Commission by order or otherwise, permitting the provision to become effective. If the provision becomes effective, it shall govern the making of extensions.
- C) Deposits for Extensions
- i) The utility may require the applicant or group of applicants to deposit with the utility the estimated cost of the extension determined in the manner designated in subsection (c). Each subsequent customer to be connected within a period of 10 years from the date of making the original extension shall be required to deposit with the utility an amount equal to the sum of the estimated cost of the existing extension plus the estimated cost of any further extension necessary to serve the customer, divided by the number of depositors for the entire extension. The excess of this deposit over the estimated cost of any further extension necessary to serve the customer shall be divided equally by the utility among the previous depositors for the extension and shall be refunded to them in that amount. In no case shall the amount of the refund to a customer exceed the customer's deposit, nor shall the total of deposits for any extension exceed the estimated cost of making the extension.
- ii) The foregoing provisions depend upon agreement by applicants that deposits of applicants will be equal. If an applicant or group of applicants requests a new extension to an existing main that would increase present customers' deposits, the utility shall consider the new extension as an original extension and shall not require deposits from existing customers for the requested new original extension.

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- iii) If the point of connection with the service piping of an applicant is so located that the applicant could be served by extending a separate parallel main at less cost than the amount of deposit that would be required from the applicant for connection to the existing extension, a utility will not require the applicant to deposit in excess of the estimated cost of the separate main, and the applicant shall not share in any refunds so long as the applicant's deposit remains less than that of the other depositors on the existing extension.
- 2) A utility, when reaching agreement with a group of applicants, shall consider the group to be governed by the majority as applied to any specific extension.
- c) A utility shall provide the applicant with a free estimate of the cost of the requested main extension along the expected route for the main extension designated by the utility. A utility shall also provide a free estimate of the cost of an alternative route if the applicant requests an alternative route and the utility expects the cost for the alternative route to not exceed the cost from the expected route by more than 50%.
- d) A utility shall use, as the basis for determining the amount of a deposit, the distance the applicant is from the nearest available distribution main and a route that the utility would normally follow in making the extension and over which right-of-way is available.
- e) A utility may petition the Commission for an investigation and determination of the reasonableness of any main extension if circumstances indicate that the additional revenues generated as a result of the main extension would be so meager as to make it unlikely to pay a fair compensation to the utility for its investment, operation, maintenance and replacement of the extension, or that, for other substantial reasons, the extension is unwarranted. If after a hearing the Commission orders a utility to construct an extension that has been challenged on any of these grounds, the applicant or group of applicants shall reimburse the utility for the construction costs to the extent necessary to ensure that the utility earns the Commission-authorized return from the required investment.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of the Part: Video Gaming (General)
- 2) Code Citation: 11 Ill. Adm. Code 1800
- 3) Section Numbers:                      Proposed Actions:  
     1800.690                                      Amendment  
     1800.790                                      Amendment
- 4) Statutory Authority: Authorized by Section 78 (a) (3) and (b) of the Video Gaming Act [230 ILCS 40/78 (a) (3) and (b)]
- 5) A Complete Description of the Subjects and Issues Involved: The rulemaking allows parties to file exceptions to the findings of fact, conclusions of law, and recommendations of an Administrative Law Judge. The rulemaking applies to hearings on denials of applications for licensure as well as hearings on disciplinary actions against licensees.

Any party to a hearing may file exceptions with the Board no later than 14 days after receipt of the recommended decision. Exceptions shall specify each finding of fact and conclusion of law to which exception is taken. There shall be no oral argument on exceptions. The Board's review of the record before issuing a final order shall include a review of any exceptions filed.

- 6) Published studies and reports, and underlying sources of data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace any emergency rule currently in effect? No
- 8) Does this proposed rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
1800.260	Amendment	39 Ill. Reg. 14809; November 13, 2015
1800.270	Amendment	39 Ill. Reg. 14809; November 13, 2015
1800.430	Amendment	39 Ill. Reg. 14809; November 13, 2015
1800.440	New Section	40 Ill. Reg. 5753; April 8, 2016
1800.555	Amendment	40 Ill. Reg. 2884; February 16, 2016

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- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate under 30 ILCS 805.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments in writing concerning this proposed rulemaking not later than 45 days after publication of this Notice in the *Illinois Register* to:  
  
Agostino Lorenzini  
General Counsel  
Illinois Gaming Board  
160 North LaSalle Street  
Chicago IL 60601  
  
fax: 312/814-7253  
James.pellum@igb.illinois.gov
- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will affect small businesses, small municipalities, and not for profit corporations that are parties to hearings before the Illinois Gaming Board conducted under the provisions of the Video Gaming Act. The rulemaking gives these parties the ability to file exceptions to findings of fact, conclusions of law, and recommendations of a hearing officer.
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of professional skills necessary for compliance: The proposed rulemaking will impose no additional requirements.
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not summarized in a regulatory agenda.

The full text of the Proposed Amendments begins on the next page:

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TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING  
SUBTITLE D: VIDEO GAMING  
CHAPTER I: ILLINOIS GAMING BOARD

PART 1800  
VIDEO GAMING (GENERAL)

SUBPART A: GENERAL PROVISIONS

Section	
1800.110	Definitions
1800.115	Gender
1800.120	Inspection
1800.130	Board Meetings

SUBPART B: DUTIES OF LICENSEES

Section	
1800.210	General Duties of All Video Gaming Licensees
1800.220	Continuing Duty to Report Information
1800.230	Duties of Licensed Manufacturers
1800.240	Duties of Licensed Distributors
1800.250	Duties of Licensed Video Terminal Operators
1800.260	Duties of Licensed Technicians and Licensed Terminal Handlers
1800.270	Duties of Licensed Video Gaming Locations

SUBPART C: STANDARDS OF CONDUCT FOR LICENSEES

Section	
1800.310	Grounds for Disciplinary Actions
1800.320	Minimum Standards for Use Agreements
1800.330	Economic Disassociation

SUBPART D: LICENSING QUALIFICATIONS

Section	
1800.410	Coverage of Subpart
1800.420	Qualifications for Licensure
1800.430	Persons with Significant Influence or Control

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## SUBPART E: LICENSING PROCEDURES

## Section

1800.510	Coverage of Subpart
1800.520	Applications
1800.530	Submission of Application
1800.540	Application Fees
1800.550	Consideration of Applications by the Board
1800.555	Withdrawal of Applications
1800.560	Issuance of License
1800.570	Renewal of License
1800.580	Renewal Fees and Dates
1800.590	Death and Change of Ownership of Video Gaming Licensee

## SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

## Section

1800.610	Coverage of Subpart
1800.615	Requests for Hearing
1800.620	Appearances
1800.625	Appointment of Administrative Law Judge
1800.630	Discovery
1800.635	Subpoenas
1800.640	Motions for Summary Judgment
1800.650	Proceedings
1800.660	Evidence
1800.670	Prohibition on Ex Parte Communication
1800.680	Sanctions and Penalties
1800.690	Transmittal of Record and Recommendation to the Board
1800.695	Status of Applicant for Licensure Upon Filing Request for Hearing

## SUBPART G: DISCIPLINARY ACTIONS AGAINST LICENSEES

## Section

1800.710	Coverage of Subpart
1800.715	Notice of Proposed Disciplinary Action Against Licensees
1800.720	Hearings in Disciplinary Actions

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1800.725	Appearances
1800.730	Appointment of Administrative Law Judge
1800.735	Discovery
1800.740	Subpoenas
1800.745	Motions for Summary Judgment
1800.750	Proceedings
1800.760	Evidence
1800.770	Prohibition on Ex Parte Communication
1800.780	Sanctions and Penalties
1800.790	Transmittal of Record and Recommendation to the Board
1800.795	Persons Subject to Proposed Orders of Economic Disassociation

SUBPART H: LOCATION OF VIDEO GAMING TERMINALS IN  
LICENSED VIDEO GAMING LOCATIONS

## Section

1800.810	Location and Placement of Video Gaming Terminals
1800.820	Measurement of Distances from Locations
1800.830	Waivers of Location Restrictions

## SUBPART I: SECURITY INTERESTS

## Section

1800.910	Approvals Required, Applicability, Scope of Approval
1800.920	Notice of Enforcement of a Security Interest
1800.930	Prior Registration

SUBPART J: TRANSPORTATION, REGISTRATION,  
AND DISTRIBUTION OF VIDEO GAMING TERMINALS

## Section

1800.1010	Restriction on Sale, Distribution, Transfer, Supply and Operation of Video Gaming Terminals
1800.1020	Transportation of Video Gaming Terminals into the State
1800.1030	Receipt of Video Gaming Terminals in the State
1800.1040	Transportation of Video Gaming Terminals Between Locations in the State
1800.1050	Approval to Transport Video Gaming Terminals Outside of the State
1800.1060	Placement of Video Gaming Terminals
1800.1065	Registration of Video Gaming Terminals

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1800.1070 Disposal of Video Gaming Terminals

SUBPART K: STATE-LOCAL RELATIONS

Section

1800.1110 State-Local Relations

SUBPART L: FINGERPRINTING OF APPLICANTS

Section

1800.1210 Definitions

1800.1220 Entities Authorized to Perform Fingerprinting

1800.1230 Qualification as a Livescan Vendor

1800.1240 Fingerprinting Requirements

1800.1250 Fees for Fingerprinting

1800.1260 Grounds for Revocation, Suspension and Denial of Contract

SUBPART M: PUBLIC ACCESS TO INFORMATION

Section

1800.1310 Public Requests for Information

SUBPART N: PAYOUT DEVICES AND REQUIREMENTS

Section

1800.1410 Ticket Payout Devices

1800.1420 Redemption of Tickets Following Removal or Unavailability of Ticket Payout Devices

SUBPART O: NON-PAYMENT OF TAXES

Section

1800.1510 Non-Payment of Taxes

SUBPART P: CENTRAL COMMUNICATIONS SYSTEM

Section

1800.1610 Use of Gaming Device or Individual Game Performance Data

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**AUTHORITY:** Implementing and authorized by the Video Gaming Act [230 ILCS 40].

**SOURCE:** Adopted by emergency rulemaking at 33 Ill. Reg. 14793, effective October 19, 2009, for a maximum of 150 days; adopted at 34 Ill. Reg. 2893, effective February 22, 2010; emergency amendment at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days; emergency expired November 11, 2010; amended at 35 Ill. Reg. 1369, effective January 5, 2011; emergency amendment at 35 Ill. Reg. 13949, effective July 29, 2011, for a maximum of 150 days; emergency expired December 25, 2011; amended at 36 Ill. Reg. 840, effective January 6, 2012; amended by emergency rulemaking at 36 Ill. Reg. 4150, effective February 29, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 5455, effective March 21, 2012; amended at 36 Ill. Reg. 10029, effective June 28, 2012; emergency amendment at 36 Ill. Reg. 11492, effective July 6, 2012, for a maximum of 150 days; emergency expired December 2, 2012; emergency amendment at 36 Ill. Reg. 12895, effective July 24, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 13178, effective July 30, 2012; amended at 36 Ill. Reg. 15112, effective October 1, 2012; amended at 36 Ill. Reg. 17033, effective November 21, 2012; expedited correction at 39 Ill. Reg. 8183, effective November 21, 2012; amended at 36 Ill. Reg. 18550, effective December 14, 2012; amended at 37 Ill. Reg. 810, effective January 11, 2013; amended at 37 Ill. Reg. 4892, effective April 1, 2013; amended at 37 Ill. Reg. 7750, effective May 23, 2013; amended at 37 Ill. Reg. 18843, effective November 8, 2013; emergency amendment at 37 Ill. Reg. 19882, effective November 26, 2013, for a maximum of 150 days; emergency amendment suspended by the Joint Committee on Administrative Rules at 38 Ill. Reg. 3384, effective January 14, 2014; suspension withdrawn at 38 Ill. Reg. 5897; emergency repeal of emergency amendment at 38 Ill. Reg. 7337, effective March 12, 2014, for the remainder of the 150 days; amended at 38 Ill. Reg. 849, effective December 27, 2013; amended at 38 Ill. Reg. 14275, effective June 30, 2014; amended at 38 Ill. Reg. 19919, effective October 2, 2014; amended at 39 Ill. Reg. 5401, effective March 27, 2015; amended at 39 Ill. Reg. 5593, effective April 1, 2015; amended at 40 Ill. Reg. 2952, effective January 27, 2016; amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

**Section 1800.690 Transmittal of Record and Recommendation to the Board**

- a) The record shall consist of the following:
  - 1) The notice of denial, the request for hearing and all motions and rulings;
  - 2) All evidence received;
  - 3) A statement of matters officially noticed;

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- 4) Offers of proof, objections and rulings;
  - 5) The recommendation and any findings of fact and conclusions of law made by the Administrative Law Judge.
- b) Oral proceedings or any part of the proceedings involving contested issues shall be recorded stenographically or by such other means as to adequately insure the preservation of such testimony or oral proceedings and shall be transcribed on request of any party. The transcript shall be paid for by the requesting party.
- c) Upon conclusion of the hearing, the Administrative Law Judge shall issue to the Board written findings of fact and conclusions of law and his/her recommendations. Findings of fact shall be based exclusively on the evidence and on matters officially noticed.
- d) Any party to the hearing may file exceptions to the recommendations of the Administrative Law Judge with the Board no later than 14 days after receipt of the recommended decision. Exceptions shall specify each finding of fact and conclusion of law to which exception is taken. There shall be no oral argument on exceptions.
- ed) Final Board Order
- 1) The Board shall review the entire record, including any exceptions filed, and shall render a written order including the bases for its decision.
  - 2) Copies of the final Board order shall be served on petitioner by personal delivery, certified mail or overnight express mail to petitioner's last known address.
  - 3) A final ~~Board~~ order shall become effective upon personal delivery to a party or upon posting by certified or overnight express mail to petitioner's last known address.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART G: DISCIPLINARY ACTIONS AGAINST LICENSEES

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**Section 1800.790 Transmittal of Record and Recommendation to the Board**

- a) The record shall consist of the following:
  - 1) The notice of proposed disciplinary action, the response and all motions and rulings on motions;
  - 2) All evidence received;
  - 3) A statement of matters officially noticed;
  - 4) Offers of proof, objections and rulings on those offers and objections;
  - 5) The recommendation and any findings of fact and conclusions of law made by the Administrative Law Judge.
- b) Oral proceedings or any part of the oral proceedings involving contested issues shall be recorded stenographically or by such other means as to adequately insure the preservation of the testimony or oral proceedings and shall be transcribed on request of any party. The transcript shall be paid for by the requesting party.
- c) Upon conclusion of the hearing, the Administrative Law Judge shall issue to the Board written findings of fact and conclusions of law and his/her recommendations. Findings of fact shall be based exclusively on the evidence and on matters officially noticed.
- d) Any party to the hearing may file exceptions to the recommendations of the Administrative Law Judge with the Board no later than 14 days after receipt of the recommended decision. Exceptions shall specify each finding of fact and conclusion of law to which exception is taken. There shall be no oral argument on exceptions.
- e) Final Board Order
  - 1) The Board shall review the entire record, including any exceptions filed, and shall render a written order including the bases for its decision.

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- 2) Copies of the final Board order shall be served on the licensee by personal delivery, certified mail or overnight express mail to the licensee's last known address.
- 3) A final ~~Board~~ order shall become effective upon personal delivery to a party or upon posting by certified or overnight express mail to the party's last known address.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of the Part: Riverboat Gambling
- 2) Code Citation: 86 Ill. Adm. Code 3000
- 3) Section Number: 3000.440                      Proposed Action:  
Amendment
- 4) Statutory Authority: Authorized by Sections 5 (c) (2), (3), and (9) of the Riverboat Gambling Act [230 ILCS 10/5 (c) (2), (3), and (9)]
- 5) A Complete Description of the Subjects and Issues Involved: The rulemaking allows parties to file exceptions to the findings of fact, conclusions of law, and recommendations of a hearing officer. The rulemaking applies to hearings on notices of denial, restriction of license, placement on the Board Exclusion List, or removal from the Board Exclusion List or Self-Exclusion List.  
  
Any party to a hearing may file exceptions with the Board no later than 14 days after receipt of the recommended decision. Exceptions shall specify each finding of fact and conclusion of law to which exception is taken. There shall be no oral argument on exceptions. The Board's review of the record before issuing a final order shall include a review of any exceptions filed.
- 6) Published studies and reports, and underlying sources of data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace any emergency rule already in effect? No
- 8) Does this proposed rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate under 30 ILCS 805.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments in writing concerning this

## ILLINOIS GAMING BOARD

## NOTICE OF PROPOSED AMENDMENT

proposed rulemaking not later than 45 days after publication of this Notice in the *Illinois Register* to:

Agostino Lorenzini  
Acting General Counsel  
Illinois Gaming Board  
160 North LaSalle Street  
Chicago IL 60601

fax: 312/814-7253  
James.pellum@igb.illinois.gov

13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will affect small businesses, small municipalities, and not for profit corporations that are parties to hearings before the Illinois Gaming Board conducted under the provisions of the Riverboat Gaming Act. The rulemaking gives these parties the ability to file exceptions to findings of fact, conclusions of law, and recommendations of a hearing officer.
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: The proposed rulemaking will impose no additional requirements.

14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not summarized in a regulatory agenda.

The full text of the Proposed Amendment begins on the next page:

## ILLINOIS GAMING BOARD

## NOTICE OF PROPOSED AMENDMENT

TITLE 86: REVENUE  
CHAPTER IV: ILLINOIS GAMING BOARDPART 3000  
RIVERBOAT GAMBLING

## SUBPART A: GENERAL PROVISIONS

Section	
3000.100	Definitions
3000.101	Invalidity
3000.102	Public Inquiries
3000.103	Organization of the Illinois Gaming Board
3000.104	Rulemaking Procedures
3000.105	Board Meetings
3000.110	Disciplinary Actions
3000.115	Records Retention
3000.120	Place to Submit Materials
3000.130	No Opinion or Approval of the Board
3000.140	Duty to Disclose Changes in Information
3000.141	Applicant/Licensee Disclosure of Agents
3000.150	Owner's and Supplier's Duty to Investigate
3000.155	Investigatory Proceedings
3000.160	Duty to Report Misconduct
3000.161	Communication with Other Agencies
3000.165	Participation in Games by Owners, Directors, Officers, Key Persons or Gaming Employees
3000.170	Fair Market Value of Contracts
3000.180	Weapons on Riverboat

## SUBPART B: LICENSES

Section	
3000.200	Classification of Licenses
3000.210	Fees and Bonds
3000.220	Applications
3000.221	Other Required Forms
3000.222	Identification and Requirements of Key Persons
3000.223	Disclosure of Ownership and Control

## ILLINOIS GAMING BOARD

## NOTICE OF PROPOSED AMENDMENT

3000.224	Economic Disassociation
3000.225	Business Entity and Personal Disclosure Filings
3000.230	Owner's Licenses
3000.231	Distributions
3000.232	Undue Economic Concentration
3000.234	Acquisition of Ownership Interest By Institutional Investors
3000.235	Transferability of Ownership Interest
3000.236	Owner's License Renewal
3000.237	Renewed Owner's Licenses, Term and Restrictions
3000.238	Appointment of Receiver for an Owner's License
3000.240	Supplier's Licenses
3000.241	Renewal of Supplier's License
3000.242	Amendment to Supplier's Product List
3000.243	Bankruptcy or Change in Ownership of Supplier
3000.244	Surrender of Supplier's License
3000.245	Occupational Licenses
3000.250	Transferability of Licenses
3000.260	Waiver of Requirements
3000.270	Certification and Registration of Electronic Gaming Devices
3000.271	Analysis of Questioned Electronic Gaming Devices
3000.272	Certification of Voucher Systems
3000.280	Registration of All Gaming Devices
3000.281	Transfer of Registration (Repealed)
3000.282	Seizure of Gaming Devices (Repealed)
3000.283	Analysis of Questioned Electronic Gaming Devices (Repealed)
3000.284	Disposal of Gaming Devices
3000.285	Certification and Registration of Voucher Validation Terminals
3000.286	Contracting Goals for Owners Licensees

## SUBPART C: OWNER'S INTERNAL CONTROL SYSTEM

Section	
3000.300	General Requirements – Internal Control System
3000.310	Approval of Internal Control System
3000.320	Minimum Standards for Internal Control Systems
3000.330	Review of Procedures (Repealed)
3000.340	Operating Procedures (Repealed)
3000.350	Modifications (Repealed)

## ILLINOIS GAMING BOARD

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SUBPART D: HEARINGS ON NOTICE OF DENIAL,  
RESTRICTION OF LICENSE, PLACEMENT ON BOARD EXCLUSION LIST OR  
REMOVAL FROM BOARD EXCLUSION LIST OR SELF-EXCLUSION LIST

Section	
3000.400	Coverage of Subpart
3000.405	Requests for Hearings
3000.410	Appearances
3000.415	Discovery
3000.420	Motions for Summary Judgment
3000.424	Subpoena of Witnesses
3000.425	Proceedings
3000.430	Evidence
3000.431	Prohibition on Ex Parte Communication
3000.435	Sanctions and Penalties
3000.440	Transmittal of Record and Recommendation to the Board
3000.445	Status of Applicant for Licensure or Transfer Upon Filing Request for Hearing

## SUBPART E: CRUISING

Section	
3000.500	Riverboat Cruises
3000.510	Cancelled or Disrupted Cruises

## SUBPART F: CONDUCT OF GAMING

Section	
3000.600	Wagering Only with Electronic Credits, Approved Chips, Tokens and Electronic Cards
3000.602	Disposition of Unauthorized Winnings
3000.605	Authorized Games
3000.606	Gaming Positions
3000.610	Publication of Rules and Payout Ratio for Live Gaming Devices
3000.614	Tournaments, Enhanced Payouts and Give-aways
3000.615	Payout Percentage for Electronic Gaming Devices
3000.616	Cashing-In
3000.620	Submission of Chips for Review and Approval
3000.625	Chip Specifications
3000.630	Primary, Secondary and Reserve Sets of Gaming Chips
3000.631	Tournament Chips

## ILLINOIS GAMING BOARD

## NOTICE OF PROPOSED AMENDMENT

3000.635	Issuance and Use of Tokens for Gaming
3000.636	Distribution of Coupons for Complimentary Chips, Tokens, Vouchers, Cash and Electronic Credits
3000.640	Exchange of Chips, Tokens, and Vouchers
3000.645	Receipt of Gaming Chips or Tokens from Manufacturer or Distributor
3000.650	Inventory of Chips
3000.655	Destruction of Chips, Tokens, and Vouchers
3000.660	Minimum Standards for Electronic Gaming Devices
3000.661	Minimum Standards for Voucher Systems
3000.665	Integrity of Electronic Gaming Devices
3000.666	Bill Validator Requirements
3000.667	Integrity of Voucher Systems
3000.670	Computer Monitoring Requirements of Electronic Gaming Devices
3000.671	Computer Monitoring Requirements of Voucher Systems

## SUBPART G: EXCLUSION OF PERSONS

Section	
3000.700	Organization of Subpart
3000.701	Duty to Exclude
3000.705	Voluntary Self-Exclusion Policy (Repealed)
3000.710	Distribution and Availability of Board Exclusion List
3000.720	Criteria for Exclusion or Ejection and Placement on the Board Exclusion List
3000.725	Duty of Licensees
3000.730	Procedure for Entry of Names
3000.740	Petition for Removal from the Board Exclusion List
3000.745	Voluntary Self-Exclusion Policy
3000.750	Establishment of a Self-Exclusion List
3000.751	Locations to Execute Self-Exclusion Forms
3000.755	Information Required for Placement on the Self-Exclusion List
3000.756	Stipulated Sanctions for Failure to Adhere to Voluntary Self-Exclusion
3000.760	Distribution and Availability of Confidential Self-Exclusion List
3000.770	Duties of Licensees
3000.780	Request for Removal from the IGB Self-Exclusion List
3000.782	Required Information, Recommendations, Forms and Interviews
3000.785	Appeal of a Notice of Denial of Removal
3000.786	Duties of Owner Licensees to Persons Removed from the Self-Exclusion List
3000.787	Placement on the Self-Exclusion List Following Removal
3000.790	Duties of the Board

## ILLINOIS GAMING BOARD

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## SUBPART H: SURVEILLANCE AND SECURITY

## Section

3000.800	Required Surveillance Equipment
3000.810	Riverboat and Board Surveillance Room Requirements
3000.820	Segregated Telephone Communication
3000.830	Surveillance Logs
3000.840	Storage and Retrieval
3000.850	Dock Site Board Facility
3000.860	Maintenance and Testing

## SUBPART I: LIQUOR LICENSES

## Section

3000.900	Liquor Control Commission
3000.910	Liquor Licenses
3000.920	Disciplinary Action
3000.930	Hours of Sale

## SUBPART J: OWNERSHIP AND ACCOUNTING RECORDS AND PROCEDURES

## Section

3000.1000	Ownership Records
3000.1010	Accounting Records
3000.1020	Standard Financial and Statistical Records
3000.1030	Annual and Special Audits and Other Reporting Requirements
3000.1040	Accounting Controls Within the Cashier's Cage
3000.1050	Procedures for Exchange of Checks Submitted by Gaming Patrons and Granting Credit
3000.1060	Handling of Cash at Gaming Tables
3000.1070	Tips or Gratuities
3000.1071	Admission Tax and Wagering Tax
3000.1072	Cash Reserve Requirements

## SUBPART K: SEIZURE AND DISCIPLINARY HEARINGS

## Section

3000.1100	Coverage of Subpart
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## ILLINOIS GAMING BOARD

## NOTICE OF PROPOSED AMENDMENT

3000.1105	Duty to Maintain Suitability
3000.1110	Board Action Against License or Licensee
3000.1115	Complaint
3000.1120	Appearances
3000.1125	Answer
3000.1126	Appointment of Hearing Officer
3000.1130	Discovery
3000.1135	Motions for Summary Disposition
3000.1139	Subpoena of Witnesses
3000.1140	Proceedings
3000.1145	Evidence
3000.1146	Prohibition of Ex Parte Communication
3000.1150	Sanctions and Penalties
3000.1155	Transmittal of Record and Recommendation to the Board

AUTHORITY: Implementing and authorized by the Riverboat Gambling Act [230 ILCS 10].

SOURCE: Emergency rule adopted at 15 Ill. Reg. 11252, effective August 5, 1991, for a maximum of 150 days; adopted at 15 Ill. Reg. 18263, effective December 10, 1991; amended at 16 Ill. Reg. 13310, effective August 17, 1992; amended at 17 Ill. Reg. 11510, effective July 9, 1993; amended at 20 Ill. Reg. 5814, effective April 9, 1996; amended at 20 Ill. Reg. 6280, effective April 22, 1996; emergency amendment at 20 Ill. Reg. 8051, effective June 3, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14765, effective October 31, 1996; amended at 21 Ill. Reg. 4642, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 14566, effective October 22, 1997, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 978, effective December 29, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 4390, effective February 20, 1998; amended at 22 Ill. Reg. 10449, effective May 27, 1998; amended at 22 Ill. Reg. 17324, effective September 21, 1998; amended at 22 Ill. Reg. 19541, effective October 23, 1998; emergency amendment at 23 Ill. Reg. 8191, effective July 2, 1999 for a maximum of 150 days; emergency expired November 28, 1999; amended at 23 Ill. Reg. 8996, effective August 2, 1999; amended at 24 Ill. Reg. 1037, effective January 10, 2000; amended at 25 Ill. Reg. 94, effective January 8, 2001; amended at 25 Ill. Reg. 13292, effective October 5, 2001; proposed amended at 26 Ill. Reg. 9307, effective June 14, 2002; emergency amendment adopted at 26 Ill. Reg. 10984, effective July 1, 2002, for a maximum of 150 days; adopted at 26 Ill. Reg. 15296, effective October 11, 2002; amended at 26 Ill. Reg. 17408, effective November 22, 2002; emergency amendment at 27 Ill. Reg. 10503, effective June 30, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 15793, effective September 25, 2003; amended at 27 Ill. Reg. 18595, effective November 25, 2003; amended at 28 Ill. Reg. 12824, effective August 31, 2004; amended at 31 Ill. Reg. 8098, effective June 14, 2007; amended at 32 Ill. Reg. 2967,

## ILLINOIS GAMING BOARD

## NOTICE OF PROPOSED AMENDMENT

effective February 15, 2008; amended at 32 Ill. Reg. 3275, effective February 19, 2008; amended at 32 Ill. Reg. 7357, effective April 28, 2008; amended at 32 Ill. Reg. 8592, effective May 29, 2008; amended at 32 Ill. Reg. 8931, effective June 4, 2008; amended at 32 Ill. Reg. 13200, effective July 22, 2008; amended at 32 Ill. Reg. 17418, effective October 23, 2008; amended at 32 Ill. Reg. 17759, effective October 28, 2008; amended at 32 Ill. Reg. 17946, effective November 5, 2008; amended at 34 Ill. Reg. 3285, effective February 26, 2010; amended at 34 Ill. Reg. 3748, effective March 11, 2010; amended at 34 Ill. Reg. 4768, effective March 16, 2010; amended at 34 Ill. Reg. 5200, effective March 24, 2010; amended at 34 Ill. Reg. 15386, effective September 23, 2010; amended at 36 Ill. Reg. 13199, effective July 31, 2012; amended at 37 Ill. Reg. 12050, effective July 9, 2013; amended at 37 Ill. Reg. 18255, effective November 1, 2013; amended at 38 Ill. Reg. 2808, effective January 8, 2014; amended at 38 Ill. Reg. 21471, effective October 29, 2014; amended at 39 Ill. Reg. 4362, effective March 10, 2015; amended at 39 Ill. Reg. 12312, effective August 18, 2015; amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART D: HEARINGS ON NOTICE OF DENIAL, RESTRICTION OF LICENSE,  
PLACEMENT ON BOARD EXCLUSION LIST OR REMOVAL FROM BOARD  
EXCLUSION LIST OR SELF-EXCLUSION LIST

**Section 3000.440 Transmittal of Record and Recommendation to the Board**

- a) The record shall consist of the following:
  - 1) The Notice of Denial or Notice of Exclusion, the Request for Hearing and all motions and rulings thereon;
  - 2) All evidence received;
  - 3) A statement of matters officially noticed;
  - 4) Offers of proof, objections and rulings thereon;
  - 5) The recommendations and any findings of fact and conclusions of law made by the hearing officer.
  
- b) Oral proceedings or any part thereof involving contested issues shall be recorded stenographically or by such other means as to adequately insure the preservation of such testimony or oral proceedings and shall be transcribed on request of any party. ~~The Said~~ transcript shall be paid for by the requesting party.

## ILLINOIS GAMING BOARD

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- c) Upon conclusion of the hearing, the hearing officer shall issue to the Board written findings of fact and conclusions of law and his or her recommendations. Findings of fact shall be based exclusively on the evidence and on matters officially noticed.
- d) Any party to the hearing may file exceptions to the recommendations of the hearing officer with the Board no later than 14 days after receipt of the recommended decision. Exceptions shall specify each finding of fact and conclusion of law to which exception is taken. There shall be no oral argument on exceptions.
- e) Final Board Order
- 1) The Board shall review the entire record, including any exceptions filed, and shall render a written order including the bases for its decision.
  - 2) Copies of the final Board order shall be served on petitioner by personal delivery, certified mail or overnight express mail.
  - 3) A final Board order shall become effective upon personal delivery to a party or upon posting by certified or overnight express mail.

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## ILLINOIS RACING BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Entries, Subscriptions, and Declarations
- 2) Code Citation: 11 Ill. Adm. Code 1413
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1413.130	Repealed
1413.131	New Section
1413.138	Repealed
1413.139	New Section
- 4) Statutory Authority: Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)]
- 5) A Complete Description of the Subjects and Issues Involved: Section 1413.131(a), expiring on June 30, 2021, states that all non-claiming races (with the exception of maiden races) and claiming races with a claiming value of \$20,000 or more, having eight or more separate interests must be carded and run. The following races must be carded and run with seven or more betting interests: Illinois maiden special weights, Illinois claiming \$20,000 and above, Illinois allowance "one other than" or "other than" and non-winners of two "other than". Illinois conceived and/or foaled stake races must be carded and run with six or more betting interests. If scratches reduce the number of interests in any race to less than six, the association may run the race as a non-betting race and card and run a substitute race for wagering purposes.  
  
Section 1413.139(a), expiring on June 30, 2021, states that whenever a posted race is cancelled, the Racing Secretary will first use the substitute races listed in the condition book and then use the extra races, except for Illinois bred races, where priority goes to the next listed Illinois bred race and then to an Illinois bred extra race.  
  
Sections 1413.131 and 1413.139 also include the re-instatement of the current rules beginning July 1, 2021. Sections 1413.130 and 1413.138 will be permanently repealed.
- 6) Published studies or reports and sources of underlying data used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No

## ILLINOIS RACING BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending in this Part? No
- 11) Statement of Statewide Policy Objective: No local governmental units will be required to increase expenditures.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be submitted, within 45 days after this Notice, to:
- Mickey Ezzo  
Illinois Racing Board  
100 West Randolph  
Suite 5-700  
Chicago IL 60601
- 312/814-5017  
Mickey.ezzo@illinois.gov
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent regulatory agendas because: the Board did not anticipate the need for this rulemaking at the time the agendas were published.

The full text of the Proposed Amendments is identical to that of the text of the Emergency Amendments for this Part, and begins in this issue of the *Illinois Register* on page 7482.

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) Section Number: 100.5215                      Proposed Action: Amendment
- 4) Statutory Authority: 35 ILCS 5/304(e)
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking amends the section that provides guidance on the filing of unitary returns by taxpayers who are not permitted to join with other members of their unitary business group in the filing of a single combined return to provide examples of the computations for partnerships.
- 6) Published studies or reports and sources of underlying data used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citation:</u>
100.8010	Amendment	40 Ill. Reg. 5174; March 25, 2016
100.9400	Amendment	40 Ill. Reg. 5174; March 25, 2016
100.9320	Amendment	40 Ill. Reg. 5823; April 8, 2016
100.9410	Amendment	40 Ill. Reg. 5823; April 8, 2016
100.5060	Amendment	40 Ill. Reg. 6540; April 15, 2016
100.5100	Amendment	40 Ill. Reg. 6540; April 15, 2016
100.5130	Amendment	40 Ill. Reg. 6540; April 15, 2016
100.7035	Amendment	40 Ill. Reg. 6540; April 15, 2016
100.5020	Amendment	40 Ill. Reg. 6676; April 22, 2016

- 11) Statement of Statewide Policy Objective: This rulemaking does not create a State mandate, nor does it modify any existing State mandates.

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENT

- 12) Time, Place and Manner in which interested persons may comment on this rulemaking: Persons who wish to submit comments on this rulemaking may submit them in writing by no later than 45 days after publication of this Notice to:

Brian Stocker  
Staff Attorney  
Illinois Department of Revenue  
Legal Services Office  
101 West Jefferson  
Springfield IL 62796

217/782-2844

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking applies to all partnerships that are members of a unitary business group and whose partnership interests are substantially wholly-owned by members of their unitary business group.
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2016

The full text of the Proposed Amendment begins on the next page:

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENT

TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUEPART 100  
INCOME TAX

## SUBPART A: TAX IMPOSED

## Section

100.2000	Introduction
100.2050	Net Income (IITA Section 202)
100.2060	Compassionate Use of Medical Cannabis Pilot Program Act Surcharge (IITA Section 201(o))

## SUBPART B: CREDITS

## Section

100.2100	Replacement Tax Investment Credit Prior to January 1, 1994 (IITA Section 201(e))
100.2101	Replacement Tax Investment Credit (IITA 201(e))
100.2110	Investment Credit; Enterprise Zone and River Edge Redevelopment Zone (IITA Section 201(f))
100.2120	Jobs Tax Credit; Enterprise Zone and Foreign Trade Zone or Sub-Zone and River Edge Redevelopment Zone (IITA Section 201(g))
100.2130	Investment Credit; High Impact Business (IITA 201(h))
100.2140	Credit Against Income Tax for Replacement Tax (IITA 201(i))
100.2150	Training Expense Credit (IITA 201(j))
100.2160	Research and Development Credit (IITA Section 201(k))
100.2163	Environmental Remediation Credit (IITA 201(l))
100.2165	Education Expense Credit (IITA 201(m))
100.2170	Tax Credits for Coal Research and Coal Utilization Equipment (IITA 206)
100.2171	Angel Investment Credit (IITA 220)
100.2180	Credit for Residential Real Property Taxes (IITA 208)
100.2185	Film Production Services Credit (IITA Section 213)
100.2190	Tax Credit for Affordable Housing Donations (IITA Section 214)
100.2193	Student-Assistance Contributions Credit (IITA 218)
100.2195	Dependent Care Assistance Program Tax Credit (IITA 210)
100.2196	Employee Child Care Assistance Program Tax Credit (IITA Section 210.5)
100.2197	Foreign Tax Credit (IITA Section 601(b)(3))

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENT

- 100.2198 Economic Development for a Growing Economy Credit (IITA 211)  
100.2199 Illinois Earned Income Tax Credit (IITA Section 212)

SUBPART C: NET OPERATING LOSSES OF UNITARY BUSINESS GROUPS  
OCCURRING PRIOR TO DECEMBER 31, 1986

## Section

- 100.2200 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Scope
- 100.2210 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) – Definitions
- 100.2220 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Current Net Operating Losses: Offsets Between Members
- 100.2230 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Carrybacks and Carryforwards
- 100.2240 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Effect of Combined Net Operating Loss in Computing Illinois Base Income
- 100.2250 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Deadline for Filing Claims Based on Net Operating Losses Carried Back From a Combined Apportionment Year

SUBPART D: ILLINOIS NET LOSS DEDUCTIONS FOR LOSSES  
OCCURRING ON OR AFTER DECEMBER 31, 1986

## Section

- 100.2300 Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2310 Computation of the Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2320 Determination of the Amount of Illinois Net Loss for Losses Occurring On or After December 31, 1986
- 100.2330 Illinois Net Loss Carrybacks and Net Loss Carryovers for Losses Occurring On or

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENT

- After December 31, 1986
- 100.2340 Illinois Net Losses and Illinois Net Loss Deductions for Losses Occurring On or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Separate Unitary Versus Combined Unitary Returns
- 100.2350 Illinois Net Losses and Illinois Net Loss Deductions, for Losses Occurring On or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Changes in Membership

## SUBPART E: ADDITIONS TO AND SUBTRACTIONS FROM TAXABLE INCOME OF INDIVIDUALS, CORPORATIONS, TRUSTS AND ESTATES AND PARTNERSHIPS

- Section
- 100.2405 Gross Income, Adjusted Gross Income, Taxable Income and Base Income Defined; Double Deductions Prohibited; Legislative Intention (IITA Section 203(e), (g) and (h))
- 100.2410 Net Operating Loss Carryovers for Individuals, and Capital Loss and Other Carryovers for All Taxpayers (IITA Section 203)
- 100.2430 Addition and Subtraction Modifications for Transactions with 80-20 and Noncombination Rule Companies
- 100.2435 Addition Modification for Student-Assistance Contribution Credit (IITA Sections 203(a)(2)(D-23), (b)(2)(E-16), (c)(2)(G-15), (d)(2)(D-10))
- 100.2450 IIT Refunds (IITA Section 203(a)(2)(H), (b)(2)(F), (c)(2)(J) and (d)(2)(F))
- 100.2455 Subtraction Modification: Federally Disallowed Deductions (IITA Sections 203(a)(2)(M), 203(b)(2)(I), 203(c)(2)(L) and 203(d)(2)(J))
- 100.2470 Subtraction of Amounts Exempt from Taxation by Virtue of Illinois Law, the Illinois or U.S. Constitutions, or by Reason of U.S. Treaties or Statutes (IITA Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G))
- 100.2480 Enterprise Zone and River Edge Redevelopment Zone Dividend Subtraction (IITA Sections 203(a)(2)(J), 203(b)(2)(K), 203(c)(2)(M) and 203(d)(2)(K))
- 100.2490 Foreign Trade Zone/High Impact Business Dividend Subtraction (IITA Sections 203(a)(2)(K), 203(b)(2)(L), 203(c)(2)(O), 203(d)(2)(M))

## SUBPART F: BASE INCOME OF INDIVIDUALS

- Section
- 100.2510 Subtraction for Contributions to Illinois Qualified Tuition Programs (Section 529 Plans) (IITA Section 203(a)(2)(Y))
- 100.2580 Medical Care Savings Accounts (IITA Sections 203(a)(2)(D-5), 203(a)(2)(S) and 203(a)(2)(T))

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENT

100.2590 Taxation of Certain Employees of Railroads, Motor Carriers, Air Carriers and Water Carriers

## SUBPART H: BASE INCOME OF TRUSTS AND ESTATES

## Section

100.2655 Subtraction Modification for Enterprise Zone and River Edge Redevelopment Zone Interest (IITA Section 203(b)(2)(M))

100.2657 Subtraction Modification for High Impact Business Interest (IITA Section 203(b)(2)(M-1))

100.2680 Capital Gain Income of Estates and Trusts Paid to or Permanently Set Aside for Charity (Repealed)

## SUBPART J: GENERAL RULES OF ALLOCATION AND APPORTIONMENT OF BASE INCOME

## Section

100.3000 Terms Used in Article 3 (IITA Section 301)

100.3010 Business and Nonbusiness Income (IITA Section 301)

100.3015 Business Income Election (IITA Section 1501)

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100.3100 Compensation (IITA Section 302)

100.3110 State (IITA Section 302)

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100.3300	Allocation and Apportionment of Base Income (IITA Section 304)
100.3310	Business Income of Persons Other Than Residents (IITA Section 304) – In General
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100.3340	Business Income of Persons Other Than Residents (IITA Section 304)
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100.3420	Apportionment of Business Income of Insurance Companies (IITA Section 304(b))
100.3450	Apportionment of Business Income of Transportation Companies (IITA Section 304(d))
100.3500	Allocation and Apportionment of Base Income by Nonresident Partners

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100.5010	Place for Filing Returns: All Taxpayers (IITA Section 505)
100.5020	Extensions of Time for Filing Returns: All Taxpayers (IITA Section 505)
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## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENT

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100.5130	Composite Returns: Required forms and computation of Income
100.5140	Composite Returns: Estimated Payments
100.5150	Composite Returns: Tax, Penalties and Interest
100.5160	Composite Returns: Credits on Separate Returns
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100.5200	Filing of Combined Returns
100.5201	Definitions and Miscellaneous Provisions Relating to Combined Returns
100.5205	Election to File a Combined Return
100.5210	Procedures for Elective and Mandatory Filing of Combined Returns
100.5215	Filing of Separate Unitary Returns ( <a href="#">IITA Section 304(e)</a> )
100.5220	Designated Agent for the Members
100.5230	Combined Estimated Tax Payments
100.5240	Claims for Credit of Overpayments
100.5250	Liability for Combined Tax, Penalty and Interest
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100.5265	Common Taxable Year
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## SUBPART R: PAYMENTS

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100.6000 Payment on Due Date of Return (IITA Section 601)

## SUBPART S: REQUIREMENT AND AMOUNT OF WITHHOLDING

Section  
100.7000 Requirement of Withholding (IITA Section 701)  
100.7010 Compensation Paid in this State (IITA Section 701)  
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Beneficiaries (IITA Section 709.5)  
100.7040 Employer Registration (IITA Section 701)  
100.7050 Computation of Amount Withheld (IITA Section 702)  
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100.7070 Voluntary Withholding (IITA Section 701)  
100.7080 Correction of Underwithholding or Overwithholding (IITA Section 701)  
100.7090 Reciprocal Agreement (IITA Section 701)  
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100.7200 Reports for Employee (IITA Section 703)

## SUBPART V: EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD

Section  
100.7300 Returns and Payments of Income Tax Withheld from Wages (IITA Sections 704  
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100.7310 Returns Filed and Payments Made on Annual Basis (IITA Sections 704 and  
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- 100.7320 Time for Filing Returns and Making Payments for Taxes Required to Be Withheld Prior to January 1, 2008 (IITA Section 704)
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- 100.7330 Payment of Tax Required to be Shown Due on a Return (IITA Sections 704 and 704A)
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## Section

- 100.8000 Payment of Estimated Tax (IITA Section 803)
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## Section

- 100.9000 General Income Tax Procedures (IITA Section 901)
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## Section

- 100.9100 Notice and Demand (IITA Section 902)

## SUBPART Z: ASSESSMENT

## Section

- 100.9200 Assessment (IITA Section 903)
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## SUBPART AA: DEFICIENCIES AND OVERPAYMENTS

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- 100.9300 Deficiencies and Overpayments (IITA Section 904)
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## Section

- 100.9400 Credits and Refunds (IITA Section 909)
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## Section

- 100.9500 Access to Books and Records (IITA Section 913)
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- 100.9510 Taxpayer Representation and Practice Requirements
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## SUBPART DD: JUDICIAL REVIEW

## Section

- 100.9600 Administrative Review Law (IITA Section 1201)

## SUBPART EE: DEFINITIONS

## Section

- 100.9700 Unitary Business Group Defined (IITA Section 1501)
- 100.9710 Financial Organizations (IITA Section 1501)
- 100.9720 Nexus
- 100.9730 Investment Partnerships (IITA Section 1501(a)(11.5))
- 100.9750 Corporation, Subchapter S Corporation, Partnership and Trust Defined (IITA Section 1501)

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Section  
100.9800 Letter Ruling Procedures

## SUBPART GG: MISCELLANEOUS

Section  
100.9900 Tax Shelter Voluntary Compliance Program

100.APPENDIX A Business Income Of Persons Other Than Residents  
100.TABLE A Example of Unitary Business Apportionment  
100.TABLE B Example of Unitary Business Apportionment for Groups Which  
Include Members Using Three-Factor and Single-Factor Formulas

**AUTHORITY:** Implementing the Illinois Income Tax Act [35 ILCS 5] and authorized by Section 1401 of the Illinois Income Tax Act [35 ILCS 5/1401].

**SOURCE:** Filed July 14, 1971, effective July 24, 1971; amended at 2 Ill. Reg. 49, p. 84, effective November 29, 1978; amended at 5 Ill. Reg. 813, effective January 7, 1981; amended at 5 Ill. Reg. 4617, effective April 14, 1981; amended at 5 Ill. Reg. 4624, effective April 14, 1981; amended at 5 Ill. Reg. 5537, effective May 7, 1981; amended at 5 Ill. Reg. 5705, effective May 20, 1981; amended at 5 Ill. Reg. 5883, effective May 20, 1981; amended at 5 Ill. Reg. 6843, effective June 16, 1981; amended at 5 Ill. Reg. 13244, effective November 13, 1981; amended at 5 Ill. Reg. 13724, effective November 30, 1981; amended at 6 Ill. Reg. 579, effective December 29, 1981; amended at 6 Ill. Reg. 9701, effective July 26, 1982; amended at 7 Ill. Reg. 399, effective December 28, 1982; amended at 8 Ill. Reg. 6184, effective April 24, 1984; codified at 8 Ill. Reg. 19574; amended at 9 Ill. Reg. 16986, effective October 21, 1985; amended at 9 Ill. Reg. 685, effective December 31, 1985; amended at 10 Ill. Reg. 7913, effective April 28, 1986; amended at 10 Ill. Reg. 19512, effective November 3, 1986; amended at 10 Ill. Reg. 21941, effective December 15, 1986; amended at 11 Ill. Reg. 831, effective December 24, 1986; amended at 11 Ill. Reg. 2450, effective January 20, 1987; amended at 11 Ill. Reg. 12410, effective July 8, 1987; amended at 11 Ill. Reg. 17782, effective October 16, 1987; amended at 12 Ill. Reg. 4865, effective February 25, 1988; amended at 12 Ill. Reg. 6748, effective March 25, 1988; amended at 12 Ill. Reg. 11766, effective July 1, 1988; amended at 12 Ill. Reg. 14307, effective August 29, 1988; amended at 13 Ill. Reg. 8917, effective May 30, 1989; amended at 13 Ill. Reg. 10952, effective June 26, 1989; amended at 14 Ill. Reg. 4558, effective March 8, 1990; amended at 14 Ill. Reg. 6810, effective April 19, 1990; amended at 14 Ill. Reg. 10082, effective June 7, 1990; amended at 14 Ill. Reg. 16012, effective September 17, 1990; emergency amendment at 17 Ill. Reg. 473, effective December 22, 1992, for a maximum of 150 days;

## DEPARTMENT OF REVENUE

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amended at 17 Ill. Reg. 8869, effective June 2, 1993; amended at 17 Ill. Reg. 13776, effective August 9, 1993; recodified at 17 Ill. Reg. 14189; amended at 17 Ill. Reg. 19632, effective November 1, 1993; amended at 17 Ill. Reg. 19966, effective November 9, 1993; amended at 18 Ill. Reg. 1510, effective January 13, 1994; amended at 18 Ill. Reg. 2494, effective January 28, 1994; amended at 18 Ill. Reg. 7768, effective May 4, 1994; amended at 19 Ill. Reg. 1839, effective February 6, 1995; amended at 19 Ill. Reg. 5824, effective March 31, 1995; emergency amendment at 20 Ill. Reg. 1616, effective January 9, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6981, effective May 7, 1996; amended at 20 Ill. Reg. 10706, effective July 29, 1996; amended at 20 Ill. Reg. 13365, effective September 27, 1996; amended at 20 Ill. Reg. 14617, effective October 29, 1996; amended at 21 Ill. Reg. 958, effective January 6, 1997; emergency amendment at 21 Ill. Reg. 2969, effective February 24, 1997, for a maximum of 150 days; emergency expired July 24, 1997; amended at 22 Ill. Reg. 2234, effective January 9, 1998; amended at 22 Ill. Reg. 19033, effective October 1, 1998; amended at 22 Ill. Reg. 21623, effective December 15, 1998; amended at 23 Ill. Reg. 3808, effective March 11, 1999; amended at 24 Ill. Reg. 10593, effective July 7, 2000; amended at 24 Ill. Reg. 12068, effective July 26, 2000; emergency amendment at 24 Ill. Reg. 17585, effective November 17, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18731, effective December 11, 2000; amended at 25 Ill. Reg. 4640, effective March 15, 2001; amended at 25 Ill. Reg. 4929, effective March 23, 2001; amended at 25 Ill. Reg. 5374, effective April 2, 2001; amended at 25 Ill. Reg. 6687, effective May 9, 2001; amended at 25 Ill. Reg. 7250, effective May 25, 2001; amended at 25 Ill. Reg. 8333, effective June 22, 2001; amended at 26 Ill. Reg. 192, effective December 20, 2001; amended at 26 Ill. Reg. 1274, effective January 15, 2002; amended at 26 Ill. Reg. 9854, effective June 20, 2002; amended at 26 Ill. Reg. 13237, effective August 23, 2002; amended at 26 Ill. Reg. 15304, effective October 9, 2002; amended at 26 Ill. Reg. 17250, effective November 18, 2002; amended at 27 Ill. Reg. 13536, effective July 28, 2003; amended at 27 Ill. Reg. 18225, effective November 17, 2003; emergency amendment at 27 Ill. Reg. 18464, effective November 20, 2003, for a maximum of 150 days; emergency expired April 17, 2004; amended at 28 Ill. Reg. 1378, effective January 12, 2004; amended at 28 Ill. Reg. 5694, effective March 17, 2004; amended at 28 Ill. Reg. 7125, effective April 29, 2004; amended at 28 Ill. Reg. 8881, effective June 11, 2004; emergency amendment at 28 Ill. Reg. 14271, effective October 18, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 14868, effective October 26, 2004; emergency amendment at 28 Ill. Reg. 15858, effective November 29, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 2420, effective January 28, 2005; amended at 29 Ill. Reg. 6986, effective April 26, 2005; amended at 29 Ill. Reg. 13211, effective August 15, 2005; amended at 29 Ill. Reg. 20516, effective December 2, 2005; amended at 30 Ill. Reg. 6389, effective March 30, 2006; amended at 30 Ill. Reg. 10473, effective May 23, 2006; amended by 30 Ill. Reg. 13890, effective August 1, 2006; amended at 30 Ill. Reg. 18739, effective November 20, 2006; amended at 31 Ill. Reg. 16240, effective November 26, 2007; amended at 32 Ill. Reg. 872, effective January 7, 2008; amended at 32 Ill. Reg. 1407, effective January 17, 2008; amended at 32 Ill. Reg. 3400, effective

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February 25, 2008; amended at 32 Ill. Reg. 6055, effective March 25, 2008; amended at 32 Ill. Reg. 10170, effective June 30, 2008; amended at 32 Ill. Reg. 13223, effective July 24, 2008; amended at 32 Ill. Reg. 17492, effective October 24, 2008; amended at 33 Ill. Reg. 1195, effective December 31, 2008; amended at 33 Ill. Reg. 2306, effective January 23, 2009; amended at 33 Ill. Reg. 14168, effective September 28, 2009; amended at 33 Ill. Reg. 15044, effective October 26, 2009; amended at 34 Ill. Reg. 550, effective December 22, 2009; amended at 34 Ill. Reg. 3886, effective March 12, 2010; amended at 34 Ill. Reg. 12891, effective August 19, 2010; amended at 35 Ill. Reg. 4223, effective February 25, 2011; amended at 35 Ill. Reg. 15092, effective August 24, 2011; amended at 36 Ill. Reg. 2363, effective January 25, 2012; amended at 36 Ill. Reg. 9247, effective June 5, 2012; amended at 37 Ill. Reg. 5823, effective April 19, 2013; amended at 37 Ill. Reg. 20751, effective December 13, 2013; recodified at 38 Ill. Reg. 4527; amended at 38 Ill. Reg. 9550, effective April 21, 2014; amended at 38 Ill. Reg. 13941, effective June 19, 2014; amended at 38 Ill. Reg. 15994, effective July 9, 2014; amended at 38 Ill. Reg. 17043, effective July 23, 2014; amended at 38 Ill. Reg. 18568, effective August 20, 2014; amended at 38 Ill. Reg. 23158, effective November 21, 2014; emergency amendment at 39 Ill. Reg. 483, effective December 23, 2014, for a maximum of 150 days; amended at 39 Ill. Reg. 1768, effective January 7, 2015; amended at 39 Ill. Reg. 5057, effective March 17, 2015; amended at 39 Ill. Reg. 6884, effective April 29, 2015; amended at 39 Ill. Reg. 15594, effective November 18, 2015; amended at 40 Ill. Reg. 1848, effective January 5, 2016; amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART Q: COMBINED RETURNS

**Section 100.5215 Filing of Separate Unitary Returns [\(IITA Section 304\(e\)\)](#)**

- a) Not every member of a unitary business group is eligible to join in the filing of a combined return and, for taxable years ending prior to December 31, 1993, joining in the filing of a combined return was elective.
- b) Each member of a unitary business group who is subject to Illinois income tax and who properly does not join in the filing of a combined return must file a separate return, and compute its business income apportionable to Illinois by computing the base income of the unitary business group in accordance with Section 100.5270(a)(1)-of this Part and by multiplying the business income included in ~~thesuch~~ base income by an apportionment fraction computed by using the Illinois apportionment factor or factors applicable to the return filer under IITA Section 304 and the everywhere factor or factors of the entire unitary business group.

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENT

- c) Each member of a unitary business group who is subject to Illinois income tax and who properly does not join in the filing of a combined return shall separately determine the amount of its nonbusiness income allocable to Illinois, the amount of the exemption allowed to it under IITA Section 204, the amounts of net loss carryovers, and the amounts of any credits and credit carryforwards to which it is entitled, without regard to the income, deductions, credits and other tax items of other members of the unitary business group, except to the extent ~~those such~~ items enter into the computation of business income of the member apportioned to Illinois under subsection (b) ~~of this Section~~.
- d) Examples. The following examples illustrate the provisions of this Section.
- 1) EXAMPLE 1: Individual A is a nonresident and is the sole shareholder of Corporation S, a subchapter S corporation, and Corporation C, a subchapter C corporation. Corporation S and Corporation C are engaged in a unitary business within the meaning of IITA Section 1501(a)(27). Corporation S' taxable year is the calendar year. Corporation C's taxable year is the fiscal year ending June 30. For its taxable year ending 12/31/14, Corporation S has business income (as defined in Section 100.3010(a)(3)(A)) of \$125,000, Illinois sales of \$750,000, and total sales of \$1,000,000. For its taxable year ending 6/30/14, Corporation C has business income of \$75,000, Illinois sales of \$40,000, and total sales of \$500,000. Under subsection (b), Corporation S must file a separate return using the combined apportionment method to determine its business income apportionable to Illinois. Combined apportionment must be computed on the basis of Corporation S' taxable year. Because Corporation C's taxable year differs, Corporation S may elect to apply any of the methods available under Section 100.5265 by treating S' taxable year as the common taxable year. Assume S elects to use method 3 to determine combined business income for the common taxable year ending 12/31/14. S' business income apportionable to Illinois is computed as follows:  $\$200,000 \times (\$750,000/\$1,500,000) = \$100,000$ . Corporation C must also file a separate return computing its business income apportionable to Illinois by applying the combined apportionment method. Corporation C may elect to apply any of the methods available under Section 100.5265 to determine the amount of business income and apportionment factors of Corporation S to be used in computing Corporation C's business income apportioned to Illinois.

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## NOTICE OF PROPOSED AMENDMENT

- 2) EXAMPLE 2: Assume that Corporation A owns a 91% interest, Corporation B a 4% interest and nonresident Individual Y a 5% interest, in P, a partnership. Corporation A and P are engaged in a unitary business within the meaning of IITA Section 1501(a)(27). Corporation A, Corporation B, Individual Y, and P all use the calendar year as their taxable year. For taxable year 12/31/14, Corporation A has business income of \$300,000 (not including any business income from P), Illinois sales of \$450,000, and total sales of \$600,000. P has business income of \$100,000, Illinois sales of \$30,000, and total sales of \$400,000. There are no intercompany sales. Under Section 100.3380(d)(4), substantially all of the interests in P are owned or controlled by members of the same unitary business group, so that P is treated as a member of the unitary business group for all purposes. Because Corporation A's share of the business income of P will be eliminated in combination, combined business income is \$400,000. Under subsection (b), Corporation A and P are required to file separate returns in which business income apportionable to Illinois is computed by applying the combined apportionment method under IITA Section 304(e). Under the combined apportionment method, P's business income apportionable to Illinois is computed by combining its business income and total sales everywhere with the business income and total sales everywhere of A. P's business income apportioned to Illinois is thus \$12,000, computed as follows:  $\$400,000$  in combined business income  $\times$  ( $\$30,000$  of P's Illinois sales/ $\$1,000,000$  of combined total sales) =  $\$12,000$ . Under IITA Section 304(e), Corporation A's business income apportionable to Illinois is  $\$180,000$ , computed as follows:  $\$400,000$  in combined business income  $\times$  ( $\$450,000$  of Corporation A's Illinois sales/ $\$1,000,000$  of combined total sales) =  $\$180,000$ . In addition, under IITA Section 305(a), Corporation A must include its  $\$10,920$  distributive share (i.e.,  $91\% \times \$12,000$ ) of the business income of P apportioned to Illinois in its Illinois net income. Also, Individual Y must include her  $\$600$  distributable share of the business income of P apportioned to Illinois in her Illinois net income (i.e.,  $5\% \times \$12,000$ ), and Corporation B must include its  $\$480$  distributable share of the business income of P apportioned to Illinois in its Illinois net income (i.e.,  $4\%$  of  $\$12,000$ ). Finally, P computes Illinois personal property tax replacement income tax on net income of  $\$600$ , computed as follows:  $\$400,000 - \$380,000$  (95% of its base income distributable to partners subject to replacement tax) =  $\$20,000$ , and  $\$20,000 \times (\$30,000/\$1,000,000) = \$600$ .

## DEPARTMENT OF REVENUE

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- 3) EXAMPLE 3: Assume the same facts as Example 2, except that P's business income is a loss of (\$100,000). Under the combined apportionment method, P's business income apportionable to Illinois is computed by combining its business loss and total sales everywhere with the business income and total sales everywhere of A. P's business income apportioned to Illinois is thus \$6,000, computed as follows:  $\$200,000 \times (\$30,000/\$1,000,000) = \$6,000$ . Under IITA Section 304(e), Corporation A's business income apportionable to Illinois is \$90,000, computed as follows:  $\$200,000 \times (\$450,000/\$1,000,000) = \$90,000$ . In addition, Corporation A must include its \$5,460 distributive share of the business income of P apportioned to Illinois in its Illinois net income. Individual Y must include her \$300 distributable share of the business income of P apportioned to Illinois in her Illinois net income (i.e.,  $5\% \times \$6,000$ ), and Corporation B must include its \$240 distributable share. P computes Illinois personal property tax replacement income tax of \$300, computed as follows:  $\$200,000 - \$190,000 = \$10,000$ , and  $\$10,000 \times (\$30,000/\$1,000,000) = \$300$ .

(Source: Amended at 40 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## ILLINOIS COURT OF CLAIMS

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Court of Claims Regulations
- 2) Code Citation: 74 Ill. Adm. Code 790
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
790.30	Amendment
790.40	Amendment
790.50	Amendment
790.55	Amendment
790.110	Amendment
790.120	Amendment
790.140	Amendment
790.155	Amendment
790.170	Amendment
790.200	Amendment
790.210	Amendment
790.220	Amendment
790.230	Repealed
790.250	Amendment
790.270	Amendment
- 4) Statutory Authority: Section 9A and implementing the Court of Claims Act [705 ILCS 505]
- 5) Effective Date of Rules: April 29, 2016
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposed published in the *Illinois Register*: 39 Ill. Reg. 15649; December 11, 2015
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No

## ILLINOIS COURT OF CLAIMS

## NOTICE OF ADOPTED AMENDMENTS

- 11) Differences between Proposal and Final Version: No substantive changes made between proposal and adoption. All technical changes recommended by JCAR were made.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Reduces number of copies of pleading required to be filed with the office of the Clerk. Clarifies procedures for appearance of out-of-state attorneys and allows counsel to verify a complaint. Defines communications between Commissioners and the Court as preliminary and confidential. Clarifies oral argument procedure, rehearing procedure, and waiver of filing fees.
- 16) Information and questions regarding these adopted rules shall be directed to:

Bradley R. Bucher  
Court Administrator  
630 S. College  
Springfield, IL 62756

bbucher@ilsos.net

The full text of the Adopted Amendments begins on the next page:

## ILLINOIS COURT OF CLAIMS

## NOTICE OF ADOPTED AMENDMENTS

TITLE 74: PUBLIC FINANCE  
CHAPTER VI: COURT OF CLAIMSPART 790  
COURT OF CLAIMS REGULATIONS

## SUBPART A: COURT OF CLAIMS RULES

Section	
790.10	Terms of Court
790.20	Pleadings and Practice
790.25	Rule References
790.30	Pleadings – Forms
790.40	Procedure
790.50	Complaint-Required Provisions
790.55	Discovery
790.60	Exhaustion of Remedies
790.70	General Continuance – Status Report
790.80	Death of Claimant
790.90	Dismissal
790.100	Answer by Respondent
790.110	Hearings – Assignments and Continuances
790.120	Transcript of Evidence
790.130	Costs of Evidence
790.140	Departmental Records and Reports – Prima Facie Evidence
790.150	Medical Examination of Claimant
790.155	Subpoenas
790.160	Excerpts from the Record
790.170	Briefs
790.180	Excerpts and Briefs – Time for Filing
790.190	Extension of Time
790.200	Motions
790.210	Oral Argument of Case
790.220	Rehearing or New Trial— <del>Time to File</del>
790.230	Rehearing – Procedure ( <a href="#">Repealed</a> )
790.240	New Trial ( <a href="#">Repealed</a> )
790.250	Records – Calendar
790.260	Dismissal for want of Prosecution
790.270	Fees and Costs

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## SUBPART B: ADOPTION AND EFFECTIVE DATES

Section  
790.280 Adoption and Effective Dates

**AUTHORITY:** Authorized by Section 9A and implementing the Court of Claims Act [705 ILCS 505].

**SOURCE:** Rules of the Court of Claims, filed and effective July 1, 1975; codified at 6 Ill. Reg. 2111; recodified at 6 Ill. Reg. 2594; amended at 24 Ill. Reg. 8228, effective July 1, 2000; amended at 32 Ill. Reg. 12315, effective July 18, 2008; amended at 40 Ill. Reg. 7314, effective April 29, 2016.

## SUBPART A: COURT OF CLAIMS RULES

**Section 790.30 Pleadings – Forms**

~~Four~~Six copies of all pleadings shall be filed with the office of the Clerk. The pleadings shall be produced on good white paper by a typing, printing, duplicating or copying process that provides a clear image. If ~~photocopies~~carbon copies are used, the original must also be filed. In order that the files of the Clerk's office may be kept under the system commonly known as "flat filing", all papers presented to the Clerk shall be flat and unfolded. Such papers need not have a cover.

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.40 Procedure**

- a) **Filing.** Cases shall be commenced by the filing of a verified complaint with the Clerk of the Court. A party filing a case shall be designated as the claimant, and either the State of Illinois or the appropriate State agency (Section 8(d), Court of Claims Act [705 ILCS 505/8(d)]) shall be designated as the respondent. The Clerk will note on the complaint, and each copy, the date of filing, and deliver one of the copies to the Attorney General or to the legal counsel of the appropriate State agency. Joinder of claimants in one case is permitted, as provided by the Code of Civil Procedure [735 ILCS 5].
- b) **Attorney of Record.** In all cases filed in this Court, all claimants not appearing pro se must be represented of record by a member of the Illinois bar. [Permission for](#)



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- 3) Fact Allegations. All allegations of fact required to set forth the claimant's cause of action;
- 4) History of Claim. Whether the claim has been presented to any State department or officer, or has been the subject of administrative proceedings, and if so:
  - A) when and to whom or which administrative body the claim was presented;
  - B) the action taken on behalf of the claim by the State or the appropriate State agency or officer and by each administrative body that has considered the claim;
- 5) Ownership. What persons are owners of the claim or interested therein, and when and upon what consideration such persons became interested;
- 6) Assignments. That no assignment or transfer of the claim, or any part thereof or interest therein, has been made except as stated in the complaint;
- 7) Entitlement. That claimant is justly entitled to the amount claimed from the State of Illinois or the appropriate State agency after allowing all just credits;
- 8) Verification. That the facts stated in the complaint are true;
- 9) Whether this claim or any other claim arising out of the same occurrence (against any person, firm or governmental agency other than the State of Illinois or any of its officers or agencies) has been previously presented to any person, firm, court or administrative tribunal other than the State of Illinois, and, if so:
  - A) when, to whom, and what action was taken by each person, firm, court or administrative tribunal; and
  - B) what payments or other considerations, if any, have been received. Claimant must file with the Clerk of the Court copies of all

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instruments evidencing such payment or consideration;

- 10) Status of Respondent. If a State officer or agency or department of the State is sued in a capacity as holder, administrator or trustee of a fund, or as executor or administrator of a trust or estate, or as a guardian, conservator or any similar capacity, the complaint shall identify:
    - A) the fund, estate, trust or other entity involved;
    - B) the statute or principle of law governing the creation of the fund or other entity; and
    - C) any instrument or order of court or administrative or governmental agency creating such capacity or fund or entity;
  - 11) Damages. A bill of particulars, stating in detail each item of damages, and the amount claimed;
  - 12) If the claimant is an executor, administrator, guardian or other representative appointed by a judicial tribunal, a duly certified copy of the record of appointment must be filed with the complaint.
- b) Personal injuries. Where a complaint alleges damages as a result of personal injuries, claimant shall:
- 1) Attach to the complaint, as a separate item, copies of the notices served as required by Sec. 22-1 of the Court of Claims Act [705 ILCS 505/22-1], showing how and when the notices were served.
  - 2) Include with the bill of particulars, as required by subsection(a)(11) ~~of this Section~~, the names and addresses of all persons providing medical services; if hospitalized, name of hospital and dates of hospitalization; name of claimant's employer, place of employment, and dates of time lost, if any.
- c) Contracts. If the claimant bases the complaint upon a contract, or other instrument in writing, a copy shall be attached for reference.
- d) Lapsed appropriations. All claims for services or materials furnished to the State

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of Illinois, payment of which has been denied solely because of a lapsed appropriation, shall be filed with the Clerk of the Court of Claims in the following manner:

- 1) Claims shall be initiated by filing with the Clerk of the Court of Claims ~~4~~6 copies of a verified lapsed appropriation claim form (available upon request from the Clerk's office) or a facsimile.
- 2) Respondent shall confirm or deny that such sum of money or any sum of money is due the claimant.
- 3) Claims against no more than one department or State agency shall be included in each complaint.
- 4) Claimant's name and address, or that of his or her attorney, shall appear at the bottom of the complaint.

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.55 Discovery**

Discovery shall be conducted in accordance with the Civil Practice Law [735 ILCS 5/Art. II] and the Rules of the Supreme Court of Illinois, except as follows:

- a) Discovery requests and responses to discovery requests, including interrogatories and requests for production of documents, shall not be filed with the Clerk of the Court unless ordered by the Court, a Judge thereof, or a Commissioner. Requests for admission and the responses thereto shall be filed with the Clerk of the Court.
- b) For claims involving property of inmates incarcerated in Illinois Department of Corrections facilities:
  - 1) ~~The~~The respondent shall forward to the claimant, or, if claimant is represented, claimant's attorney, copies of the following documents in the possession or control of the Department of Corrections within 120 days after the filing of the complaint. The complaint is not deemed filed during the pendency of a petition for leave to proceed in forma pauperis.
    - A4) Grievances and appeals of grievances pertaining to the property in

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question filed by the claimant, and all responses thereto.

B2) Any personal property inventory sheets and property permits or contracts that tend to prove or disprove ownership of the property in question.

C3) Incident reports, disciplinary reports, and "shakedown" receipts relevant to the subject of the claim.

2) The deadline for forwarding these documents to claimant is tolled during the consideration of a motion to dismiss or any other motion the granting of which would dispose of the case. ~~The deadline for forwarding these documents to claimant is tolled during the consideration of a motion to dismiss filed by respondent.~~ No other discovery is permitted in these claims except by order of the Court, a Judge thereof, or a Commissioner.

c) For claims involving personal injury of inmates while incarcerated in Illinois Department of Corrections facilities:

1) The respondent shall forward to claimant or, if claimant is represented, claimant's attorney, copies of the following documents in the possession or control of the Department of Corrections within 120 days after the filing of the complaint:

A1) Grievances and appeals of grievances pertaining to the injuries in question filed by the claimant, and all responses thereto.

B2) All medical records relevant to the subject of the claim.

C3) Incident reports relevant to the subject of the claim.

2) The deadline for forwarding these documents to claimant is tolled during the consideration of a motion to dismiss or any other motion the granting of which would dispose of the case. No other discovery is permitted in these claims except by order of the Court, a Judge thereof, or a Commissioner.

d) When complying with the provisions of this Section, the respondent may redact any information including, but not limited to, confidential information such as

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social security numbers, home telephone numbers, home addresses, and information the disclosure of which would be violative of federal or State law. In the event any information is redacted by the respondent, the respondent shall, in writing, state the reason for the redaction, and forward the statement to the claimant or his attorney within the time allowed in this Section, or any extension authorized under subsection (f).

- e) In the event that the claimant disputes the propriety of redaction of any information, the Court, a Judge thereof, or a Commissioner shall be empowered to examine the material in camera and to enter an order requiring the respondent to forward the redacted material to the claimant or his attorney.
- f) The Court, a Judge thereof, or a Commissioner may extend the time for compliance with the provisions of this Section.

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.110 Hearings – Assignments and Continuances**

The Court shall assign the case to a Commissioner who, within a reasonable time, shall set the time and place for hearing, and notify opposing counsel in writing. No continuances shall be granted by the Commissioner except upon good cause shown, supported by affidavit. Any communications between the Commissioner and the Court are deemed preliminary and confidential.

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.120 Transcript of Evidence**

- a) Filing. All evidence shall be taken in writing in the manner in which depositions in civil actions are usually taken. When the evidence is taken, and the proofs in a case are closed, the evidence shall be transcribed, and the transcript~~3 copies~~ thereof shall be filed by the court reporter with the clerk within 30 days after~~of~~ the completion of the hearing.
- b) Form. The format of the transcript of evidence shall conform to that of court reporters as nearly as practicable. Double spacing shall be used for each question and answer. Letter or legal size paper shall be used, and margins shall be of suitable size.

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- c) Index – witnesses. An index identifying the names of the witnesses shall be included in the transcript of evidence. The index shall further disclose the pages on which the testimony of each witness appears.
- d) Index – exhibits. An index identifying exhibits and reflecting the pages on which the exhibits are marked for identification shall be included in the transcript of evidence. The index shall further disclose the pages on which the exhibits are admitted into evidence or whereon admission thereof is denied.

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.140 Departmental Records and Reports – Prima Facie Evidence**

All records and files maintained in the regular course of business by any department, commission, board, agency or authority of the State of Illinois, and all departmental reports made by any officer thereof relating to any matter or case pending before the Court shall be prima facie evidence of the facts set forth therein; provided, a copy thereof shall have been first duly mailed or delivered by the Attorney General or the legal counsel of the appropriate State agency to the claimant, or his attorney of record, and 25 copies filed with the Clerk.

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.155 Subpoenas**

- a) The Court may issue subpoenas through the Chief Justice or one of its Judges or Commissioners to require attendance of witnesses for the purpose of testifying before it, any Judge of the Court, any notary public, or any of its Commissioners, and to require the production of any books, records, papers or documents that may be material or relevant as evidence in any matter pending before it. ~~If in case~~ any person refuses to comply with any subpoenas issued in the name of the Chief Justice, or one of the Judges or Commissioners, attested to by the Clerk, with the seal of the Court attached, and served upon the person named in the subpoena, as a summons in a civil action is served, the circuit court of the proper county, on application of the party at whose instance the subpoena was issued, shall compel obedience by attachment proceedings, as for contempt, as in a case of a disobedience of the requirements of a subpoena from the circuit court on a refusal to testify.

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- b) The Clerk of the Court of Claims, when an action is pending, shall, from time to time, issue subpoenas on behalf of the Chief Justice, the Judges or Commissioners, for those witnesses and to those counties in the States as may be required by the attorneys or either party.
- c) Every subpoena shall:
  - 1) state that it is issued by the Court of Claims; and
  - 2) state the title of the action and its civil action number; and
  - 3) command each person to whom it is directed to attend and give testimony or to produce or permit inspection and copying of designated books, documents or tangible things in the possession, custody or control of that person. A command to produce evidence shall be joined with a command to appear at trial or hearing or at deposition.
- d) The Clerk may issue subpoenas on behalf of a party requesting issuance provided that there is a valid request to the Clerk indicating the information to be subpoenaed. An attorney of record may also issue and sign a subpoena on a form provided by the Clerk.
- e) Prior notice of any subpoena for production of documents and things before trial shall be served on each party by mailing or delivering written notice to the other parties to the action, or their attorneys, at the last known address of the attorney or party, with proof of service filed with the Clerk.
- f) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to a subpoena. The Court shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, including being held in default, debarred from filing any other pleading or maintaining any claim or defense.

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.170 Briefs**

The Court, a Judge thereof, or a Commissioner may order the filing of briefs in a case where the

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filing of briefs may enlighten the Court. If so ordered, each party shall file with the Clerk ~~26~~ copies of a typewritten or printed brief setting forth the points of law upon which reliance is had, with reference made to the authorities sustaining their contentions. Citation of numerous authorities in support of the same point is not favored. Accompanying the briefs, there shall be a statement of the facts and an argument in support of the briefs. Wherever facts from the record are restated, there shall be a reference to the pages of the record and not to the pages of the excerpts.

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.200 Motions**

- a) General. All motions and objections shall comply with Section 790.30 of this Part.
- b) Motions. All motions shall be in writing. ~~FourSix~~ copies of all motions, and suggestions in support of the motion, shall be filed with the Clerk of the Court and the assigned Commissioner, together with proof of service upon counsel for the other party. When the motion is based upon matter that does not appear of record, it shall be supported by an affidavit. A copy of the motion, suggestions in support of the motion, and affidavit, if any, shall be served upon counsel for the opposing party at the time the motion is filed with the Clerk.
- c) Objections. Objections to motions, and suggestions in support of the objection, must be in writing and filed within 21 days after the filing of the original motion. Upon the filing, within 21 days after the filing of the motion, of a request for an extension of time supported by an affidavit that an objection will be filed within the extended time, the time shall be automatically extended for an additional 21 days. No other extensions will be allowed except in compelling circumstances. ~~FourSix~~ copies of all objections to motions shall be filed with the Clerk of the Court, together with proof of service upon counsel for the other party. When motions are filed by either the claimant or the respondent, the moving party shall also submit ~~3 copies of~~ a proposed order.
- d) Rulings by Commissioners. After a cause has been assigned to a Commissioner, all motions during the course of the hearings, except motions to dismiss, motions for summary judgment, or other dispositive motions, may be determined by the Commissioner. The Commissioner shall cause to be filed with the Clerk of the Court any order so issued.

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- e) Oral argument on motions. There shall be no oral argument on motions or objections to motions, except on motions where, in the Court's discretion, oral arguments thereon would be of value to the Court.

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.210 Oral Argument of Case**

~~Either party desiring to make oral argument shall indicate on the cover of his/her brief. Oral argument on a matter before the Court, including a petition for rehearing, will be permitted only when ordered by the Court. Oral argument may be granted in the discretion of the Court upon request of a party or by Court order.~~

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.220 Rehearing or New Trial—~~Time to File~~**

A party desiring a rehearing or new trial in any case shall, within 30 days after the filing of the opinion or order, file with the Clerk ~~46~~ copies of the petition for rehearing. The petition shall state briefly the points supposed to have been overlooked or misapprehended by the Court, with authorities and suggestions concisely stated in support of the points. A copy of the petition shall be served on counsel for the other party and proof of service shall be shown in the petition. Any petition violating this Section will be stricken. The opposite party shall have 20 days from the date of filing of the petition for rehearing to answer the petition, and the petitioner shall have 10 days thereafter within which to file a reply. The granting of a petition for rehearing can result in such relief as the Court deems appropriate. Neither the claimant, nor the respondent, shall be permitted to file more than one application or petition for rehearing.

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.230 Rehearing – Procedure (Repealed)**

~~When a rehearing is granted, the original briefs of the parties, the petition for rehearing, the answer and the reply thereto shall constitute the file in the case on rehearing. The opposite party shall have 20 days from the date of filing of the petition for rehearing to answer the petition; and the petitioner shall have 10 days thereafter within which to file a reply. Neither the claimant, nor the respondent, shall be permitted to file more than one application or petition for a rehearing.~~

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(Source: Repealed at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.250 Records – Calendar**

~~a) Records.~~ The Clerk shall record all orders of the Court, including the final disposition of cases. ~~The Clerk~~~~He~~ shall keep all required dockets in which shall be entered all claims filed, together with their number, dates of filing, the name of claimants, their attorneys of record and respective addresses. As papers are received, ~~the Clerk by the Clerk, he~~ shall stamp the filing date thereon, and forthwith mail to opposing counsel a copy of all orders entered, pleadings, motions, notices and briefs as filed. Such mailing shall constitute due notice and service thereof.

~~b) Calendar. Within 10 days prior to the first day of each session of the Court, the Clerk shall prepare a calendar of the cases set for hearing, and of the cases to be disposed of at such session, and deliver a copy thereof to each of the Judges, the Attorney General, and the legal counsel of the appropriate State Agency.~~

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

**Section 790.270 Fees and Costs**

a) In claims based upon lapsed appropriations or lost warrant no filing fee shall be required. In all other claims the following fees shall apply:

Filing of complaint in which amount of claim is <del>more than \$50 and</del> less than \$1,000 .....	\$15
Filing of complaint in which amount of claim is \$1,000 or more .....	\$35

b) Filing fees may be waived for an indigent~~poor~~ person, ~~pursuant to Supreme Court Rule 298~~, upon application provided and approved by the Court of Claims.

1) All applications shall be notarized and include: the name and address of the applicant; applicant's occupation and employer; income from the previous year; sources and amount of income expected in the future; persons dependent on the applicant for support; a brief statement of any real estate or personal property (including any motor vehicles) and the value of the real estate, personal property and motor vehicle held by the applicant; a statement (and any government issued documentation) of

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receiving assistance under one or more of the following public benefits programs (Supplemental Security Income (SSI), Aid to the Aged, Blind and Disabled (AABD), Temporary Assistance for Needy Families (TANF), Supplemental Nutritional Assistance Program (SNAP), etc.), or documentation of receiving unemployment insurance benefits; a statement of any applications filed on behalf of the applicant for leave to sue or defend as an indigent person during the previous year; and a statement that the applicant is unable to pay the cost of the case and has a meritorious claim or defense.

- 2) The Court, considering the information of the application as a whole, shall determine whether the information contained in the application demonstrates to the Court that an inability to pay exists, and if so, will waive the fees. Receipt of public benefit program assistance or unemployment insurance benefits stated in subsection (b)(1) shall result in waiver of fees, irrespective of other information provided.
- c) Certified copies of documents filed in the Court of Claims may be obtained upon application to the Secretary of State and payment of the prescribed costs.

(Source: Amended at 40 Ill. Reg. 7314, effective April 29, 2016)

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- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1030.1	Amendment
1030.90	Amendment
- 4) Statutory Authority: 625 ILCS 5/6-110(a) and 625 ILCS 5/6-115(d-5)
- 5) Effective Date of Rules: May 2, 2016
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Department's Division of Driver's Services, and is available for public inspection.
- 9) Notice of Proposed published in the *Illinois Register*: 40 Ill. Reg. 1672; January 22, 2016
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Difference between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Current Rule does not specifically outline the requirements for having a new photograph taken when a driver's license is renewed at a Driver Services Facility. The amendment to Section 1030.90 is necessary to provide specific guidelines to requiring a new photograph at least every 8 years, unless the driver holds a military deferral certificate or civilian employee deferral card issued by the Department. The definition of civilian employee deferral card is necessary in order to come into compliance with PA 99-118 of the 99th General Assembly.

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- 16) Information and questions regarding the adopted rules shall be directed to:

Jennifer Egizii  
Office of the Secretary of State  
Driver Services Department  
2701 South Dirksen Parkway  
Springfield IL 62723

217/557-4462

The full text of the Adopted Amendments begins on the next page:

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TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATEPART 1030  
ISSUANCE OF LICENSES

Section	
1030.1	Definitions
1030.5	Procedure for Obtaining a Driver's License
1030.6	Procedure for Obtaining a Visa Status Temporary Visitor's Driver's License Pursuant to IVC Section 6-105.1(a)
1030.7	Procedure for Obtaining a Non-Visa Status Temporary Visitor's Driver's License Pursuant to IVC Section 6-105.1(a-5)
1030.10	What Persons Shall Not be Licensed or Granted Permits
1030.11	Procedure for Obtaining a Driver's License/Temporary Visitor's Driver's License (Renumbered)
1030.12	Identification Cards for the Homeless
1030.13	Denial of License or Permit
1030.14	Emergency Contact Database
1030.15	Cite for Re-testing
1030.16	Physical and Mental Evaluation
1030.17	Errors in Issuance of Driver's License/Cancellation
1030.18	Medical Criteria Affecting Driver Performance
1030.20	Classification of Drivers – References (Repealed)
1030.22	Medical Examiner's Certificate – CLP or CDL Holders
1030.25	Safe Driver License Renewals
1030.30	Classification Standards
1030.40	Fifth Wheel Equipped Trucks
1030.50	Bus Driver's Authority, Religious Organization and Senior Citizen Transportation
1030.55	Commuter Van Driver Operating a For-Profit Ridesharing Arrangement
1030.60	Third-Party Certification Program
1030.63	Religious Exemption for Social Security Numbers (Repealed)
1030.65	Instruction Permits
1030.66	Adult Driver Education
1030.70	Driver's License Testing/Vision Screening
1030.75	Driver's License Testing/Vision Screening With Vision Aid Arrangements Other Than Standard Eye Glasses or Contact Lenses
1030.80	Driver's License Testing/Written Test
1030.81	Endorsements

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- 1030.82 Charter Bus Driver Endorsement Requirements
- 1030.83 Hazardous Material Endorsement
- 1030.84 Vehicle Inspection
- 1030.85 Driver's License Testing/Road Test
- 1030.86 Multiple Attempts – Written and/or Road Tests
- 1030.88 Exemption of Facility Administered Road Test
- 1030.89 Temporary Driver's Licenses and Temporary Instruction Permits
- 1030.90 Requirement for Photograph and Signature of Licensee on Driver's License
- 1030.91 Person with a Disability Identification Card
- 1030.92 Restrictions
- 1030.93 Restricted Local Licenses
- 1030.94 Duplicate or Corrected Driver's License or Instruction Permit
- 1030.95 Consular Licenses (Repealed)
- 1030.96 Seasonal Restricted Commercial Driver's License
- 1030.97 Invalidation of a Driver's License, Permit and/or Driving Privilege
- 1030.98 School Bus Endorsement or Learner's Permit
- 1030.100 Anatomical Gift Donor (Repealed)
- 1030.110 Emergency Medical Information Card
- 1030.115 Change-of-Address
- 1030.120 Issuance of a Probationary License
- 1030.130 Grounds for Cancellation of a Probationary License
- 1030.140 Use of Captured Images
- 1030.150 Veteran Designation on Driver's License or Identification Card
  
- 1030.APPENDIX A Questions Asked of a Driver's License Applicant
- 1030.APPENDIX B Acceptable Identification Documents – Applicants for a Driver's License, Instruction Permit, Visa Status Temporary Visitor's Driver's License Pursuant to IVC Section 6-105.1(a) or Visa Status Temporary Visitor's Instruction Permit
- 1030.APPENDIX C Acceptable Identification Documents – Applicants for a Non-Visa Status Temporary Visitor's Driver's License or Non-Visa Status Temporary Visitor's Instruction Permit Pursuant to IVC Section 6-105.1(a-5)

AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. I] and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

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SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 15130, effective September 2, 1986; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 11, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; emergency amendment at 16 Ill. Reg. 12228, effective July 16, 1992, for a maximum of 150 days; emergency expired on December 13, 1992; amended at 16 Ill. Reg. 18087, effective November 17, 1992; emergency amendment at 17 Ill. Reg. 1219, effective January 13, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2025, effective February 1, 1993; amended at 17 Ill. Reg. 7065, effective May 3, 1993; amended at 17 Ill. Reg. 8275, effective May 24, 1993; amended at 17 Ill. Reg. 8522, effective May 27, 1993; amended at 17 Ill. Reg. 19315, effective October 22, 1993; amended at 18 Ill. Reg. 1591, effective January 14, 1994; amended at 18 Ill. Reg. 7478, effective May 2, 1994; amended at 18 Ill. Reg. 16457, effective October 24, 1994; amended at 19 Ill. Reg. 10159, effective June 29, 1995; amended at 20 Ill. Reg. 3891, effective February 14, 1996; emergency amendment at 20 Ill. Reg. 8358, effective June 4, 1996, for a maximum of 150 days; emergency amendment repealed in response to an objection of the Joint Committee on Administrative Rules at 20 Ill. Reg. 14279; amended at 21 Ill. Reg. 6588, effective May 19, 1997; amended at 21 Ill. Reg. 10992, effective July 29, 1997; amended at 22 Ill. Reg. 1466, effective January 1, 1998; emergency amendment at 23 Ill. Reg. 9552, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13947, effective November 8, 1999; amended at 24 Ill. Reg. 1259, effective January 7, 2000; emergency amendment at 24 Ill. Reg. 1686, effective January 13, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 6955, effective April 24, 2000; emergency amendment at 24 Ill. Reg. 13044, effective August 10, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18400, effective December 4,

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2000; amended at 25 Ill. Reg. 959, effective January 5, 2001; amended at 25 Ill. Reg. 7742, effective June 5, 2001; amended at 25 Ill. Reg. 12646, effective September 24, 2001; emergency amendment at 25 Ill. Reg. 12658, effective September 24, 2001, for a maximum of 150 days; emergency expired February 20, 2002; amended at 26 Ill. Reg. 9961, effective June 24, 2002; amended at 27 Ill. Reg. 855, effective January 3, 2003; emergency amendment at 27 Ill. Reg. 7340, effective April 14, 2003, for a maximum of 150 days; emergency expired September 10, 2003; emergency amendment at 27 Ill. Reg. 16968, effective October 17, 2003, for a maximum of 150 days; emergency expired March 14, 2004; emergency amendment at 28 Ill. Reg. 384, effective January 1, 2004, for a maximum of 150 days; emergency expired May 29, 2004; amended at 28 Ill. Reg. 8895, effective June 14, 2004; amended at 28 Ill. Reg. 10776, effective July 13, 2004; amended at 29 Ill. Reg. 920, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2469, effective January 31, 2005, for a maximum of 150 days; emergency expired June 29, 2005; amended at 29 Ill. Reg. 9488, effective June 17, 2005; amended at 29 Ill. Reg. 12519, effective July 28, 2005; amended at 29 Ill. Reg. 13237, effective August 11, 2005; amended at 29 Ill. Reg. 13580, effective August 16, 2005; amended at 30 Ill. Reg. 910, effective January 6, 2006; amended at 30 Ill. Reg. 5621, effective March 7, 2006; amended at 30 Ill. Reg. 11365, effective June 15, 2006; emergency amendment at 30 Ill. Reg. 11409, effective June 19, 2006, for a maximum of 150 days; emergency expired November 15, 2006; amended at 31 Ill. Reg. 4782, effective March 12, 2007; amended at 31 Ill. Reg. 5096, effective March 15, 2007; amended at 31 Ill. Reg. 5864, effective March 29, 2007; amended at 31 Ill. Reg. 6370, effective April 12, 2007; amended at 31 Ill. Reg. 7643, effective May 16, 2007; amended at 31 Ill. Reg. 11342, effective July 18, 2007; amended at 31 Ill. Reg. 14547, effective October 9, 2007; amended at 31 Ill. Reg. 14849, effective October 22, 2007; amended at 31 Ill. Reg. 16543, effective November 27, 2007; amended at 31 Ill. Reg. 16843, effective January 1, 2008; emergency amendment at 32 Ill. Reg. 208, effective January 2, 2008, for a maximum of 150 days; amended at 32 Ill. Reg. 6544, effective April 4, 2008; amended at 33 Ill. Reg. 2391, effective January 21, 2009; amended at 33 Ill. Reg. 8489, effective June 5, 2009; amended at 33 Ill. Reg. 9794, effective June 29, 2009; amended at 33 Ill. Reg. 11620, effective July 22, 2009; amended at 33 Ill. Reg. 14185, effective September 28, 2009; amended at 34 Ill. Reg. 563, effective December 22, 2009; amended at 34 Ill. Reg. 9457, effective June 23, 2010; amended at 34 Ill. Reg. 15418, effective September 22, 2010; amended at 34 Ill. Reg. 19071, effective November 22, 2010; amended at 35 Ill. Reg. 2197, effective January 21, 2011; amended at 35 Ill. Reg. 4692, effective March 3, 2011; amended at 35 Ill. Reg. 19664, effective November 23, 2011; amended at 36 Ill. Reg. 3924, effective February 27, 2012; amended at 36 Ill. Reg. 7255, effective April 26, 2012; amended at 36 Ill. Reg. 14755, effective September 18, 2012; amended at 37 Ill. Reg. 7776, effective May 22, 2013; amended at 37 Ill. Reg. 14176, effective September 1, 2013; amended at 37 Ill. Reg. 19342, effective November 28, 2013; amended at 38 Ill. Reg. 7946, effective March 28, 2014; emergency amendment at 38 Ill. Reg. 8429, effective April 4, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 12515, effective July 1, 2014;

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amended at 38 Ill. Reg. 16366, effective July 21, 2014; amended at 38 Ill. Reg. 20039, effective October 1, 2014; amended at 39 Ill. Reg. 1182, effective January 5, 2015; amended at 39 Ill. Reg. 5083, effective March 23, 2015; amended at 39 Ill. Reg. 8028, effective May 21, 2015; amended at 39 Ill. Reg. 11531, effective July 28, 2015; amended at 39 Ill. Reg. 14930, effective October 29, 2015; amended at 40 Ill. Reg. 1882, effective January 12, 2016; amended at 40 Ill. Reg. 7330, effective May 2, 2016.

**Section 1030.1 Definitions**

Unless otherwise noted, the following definitions shall apply to this Part.

"Acceptable Medical Certificate" – a current medical examiner's certificate that has been completed in its entirety and does not require additional information.

"Adjudication of Disability" – an order by a court of competent jurisdiction declaring a person, unable to fully manage his/her person and/or estate because of mental deterioration or physical incapacity, or mental illness or developmental disability, pursuant to Sections 11a-1, 11a-2 and 11a-3 of the Probate Act of 1975 [755 ILCS 5/11a-1, 11a-2 and 11a-3].

"Adult Driver Education Course" – six hour classroom or online course of driver education for persons age 18, 19 or 20, offered by an adult driver education course provider.

"Adult Driver Education Course Provider" or "Provider" – an entity certified by the Secretary of State to provide an adult driver education course, either in a classroom setting or online.

"Agri-Chemical Business" – any individual, partnership, corporation or association engaged in a business operation for the purpose of selling or distributing agricultural pesticides and/or fertilizers or providing the service of application of these substances in this State.

"Applicant" – a person applying for an Illinois driver's license, permit or identification card.

*"Approved Driver Education Course" –*

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*a course of driver education approved by the State Board of Education, offered by public or private schools maintaining grades 9 through 12, and meeting at least the minimum requirements of the Driver Education Act [105 ILCS 5/27-24 through 27-24.8]; or*

*a course of driver education offered by a school licensed to give driver education instructions under the Vehicle Code that meets at least the minimum educational requirements of the Driver Education Act and is approved by the State Board of Education; or*

*any course of driver education given at a Department of Defense Education Activity school that is approved by the Department of Defense Education Activity and taught by an adult driver education instructor or traffic safety officer; or*

*a course of driver education given in another state to an Illinois resident attending school in that state and approved by the state administrator of the driver education program of the other state [625 ILCS 5/1-103].*

"Armed Forces" – the United States Army, Navy, Air Force, Marine Corps or Coast Guard; Illinois National Guard; service in the Merchant Marine that constitutes active duty under Section 401 of the Federal Public Law 95-202 (38 USC 106) shall also be considered service in the Armed Forces of the United States.

"Authorized Secretary of State Employee" – a Secretary of State employee with a supervisory position.

"Authorized Source" –

competent medical specialist

law enforcement official

member of the judiciary

Member of the Board

National Driver Register

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authorized Secretary of State employee

employee of the U.S. Department of Transportation, Office of Motor Carriers

motor vehicle departments of foreign states

driver rehabilitation specialist

problem driver pointer system

"Binocular Visual Acuity" – a visual reading obtained utilizing both eyes at the same time.

"Branch Facility" – a separate training/testing facility operated and directly supervised by a third-party certifying entity at a location different from the principal location of the third-party certifying entity.

"Business Day" – any day on which the Office of the Secretary of State is open; generally, Monday through Saturday, excluding State holidays.

"CDL Skills Test" – a test given to an applicant who is attempting to obtain a Commercial Driver's License (CDL).

*"CDLIS Driver Record" – the electronic record of the individual CDL driver's status and history stored by the State-of-Record as part of the Commercial Driver's License Information System, or CDLIS, established under 49 USC 31309. [625 ILCS 5/6-500(5.3)]*

*"CDLIS Motor Vehicle Record" or "CDLIS MVR" – a report generated from the CDLIS driver record meeting the requirements for access to CDLIS information and provided by states to users authorized in 49 CFR 384.225(e)(3) and (4) (2014), subject to the provisions of the Driver Privacy Protection Act (18 USC 2721-2725). [625 ILCS 5/6-500(5.5)]*

*"Cancellation" – the annulment or termination by formal action of the Secretary of a person's driver's license or permit because of some error or defect in the license or because the licensee is no longer entitled to such license or permit, but,*

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*with the exception of Sections 6-107, 6-108 and 6-201, the cancellation of a license or permit is without prejudice and application for a new license or permit may be made at any time after such cancellation [625 ILCS 5/1-110 and 5/6-206(c)(3) and 6-201].*

"Central Issuance" – the process of printing and mailing a driver's license to an applicant from a secure central production facility.

"Certificate of Completion" – a certificate of completion issued by the Office of the Secretary of State if the student has successfully completed his/her driver education course at an approved commercial driver training school as provided in IVC Chapter 6, Art. IV and 92 Ill. Adm. Code 1060.

"Charter Bus Driver Endorsement" – an indicator on the driver's license that the driver is qualified to transport a group of persons with a common purpose, under a single contract at a fixed rate for their exclusive use of that motor vehicle.

"Cheating on Written Tests" – the receipt or use of unauthorized assistance in the taking of any portion of a written test. This includes, but is not limited to, the use of any notes, books or written information.

"Cited Driver" – a driver who has been requested by the Secretary of State to appear for re-test.

"Civilian Employee Deferral Card" – a card issued at the expiration of a driver's license to extend the expiration of the driver's license for 120 days while, as a result of employment, a civilian employee of the United States Armed Services or of the United States Department of Defense and the civilian employee's spouse and/or dependent children who are living with the civilian employee is residing outside the State of Illinois.

"Classification" – a designation as to the kind and type of vehicle a driver is entitled to operate, as outlined in Sections 1030.30 and 1030.40.

"Classroom Instruction" – the part of an approved driver education course consisting of learning experiences in the classroom. This instruction must be of the type to satisfy the 30 clock hours of instruction specified in Section 27-23 of the School Code [105 ILCS 5/27-23].

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"Cleared Miscellaneous Suspension" – a suspension for safety responsibility, financial responsibility, warrant parking/traffic, auto emissions, failure to appear, curfew, mandatory conviction, tollway, family financial responsibility, automated traffic law violation, nighttime driving restriction, or unsatisfied judgment.

"Commercial Driver's License" or "CDL" – *a license issued to an individual by a state or other jurisdiction of domicile, in accordance with the standards contained in 49 CFR 383 (October 1, 2014), that authorizes the individual to operate a certain class of commercial motor vehicle [625 ILCS 5/1-111.6].*

*"Commercial Driver's License Downgrade" – a state:*

*allows the driver to change his or her self-certification to interstate, but operating exclusively in transportation or operation excepted from 49 CFR 391 (October 1, 2014), as provided in 49 CFR 390.3(f), 391.2, 391.68 or 398.3 (October 1, 2014);*

*allows the driver to change his or her self-certification to intrastate only, if the driver qualifies under that state's physical qualification requirements for intrastate only;*

*allows the driver to change his or her self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or*

*removes the CDL privilege from the driver's license. [625 ILCS 5/6-500(5.7)]*

"Commercial Driver's License Information System" or "CDLIS" – the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (CMVSA) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers.

"Commercial Learner's Permit" or "CLP" – a permit issued to an individual by a state or other jurisdiction of domicile, in accordance with the standards contained in 49 CFR 383 (October 1, 2014), which, when carried with a valid driver's license issued by the same state or jurisdiction of domicile, authorizes the individual to operate a class of commercial motor vehicle when accompanied by a holder of a valid CDL for purposes of behind-the-wheel training. When issued to

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a CDL holder, a CLP serves as authorization for accompanied behind-the-wheel training in a commercial motor vehicle for which the holder's current CDL is not valid.

*"Commercial Motor Vehicle" or "CMV" – a motor vehicle or combination of motor vehicles used in commerce designed to transport passengers or property if the motor vehicle:*

*has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of any towed unit with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds), whichever is greater; or*

*has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 pounds) or more, whichever is greater; or*

*is designed to transport 16 or more passengers, including the driver; or*

*is of any size and is used in transporting hazardous materials as defined in 49 CFR 383.5 (October 1, 2014).*

*Commercial Motor Vehicle does not include:*

*recreational vehicles, when operated primarily for personal use;*

*vehicles owned by or operated under the direction of the United States Department of Defense or the United States Coast Guard only when operated by non-civilian personnel. This includes any operator on active military duty; members of the Reserves; National Guard; personnel on part-time training; and National Guard military technicians (civilians who are required to wear military uniforms and are subject to the Code of Military Justice); or*

*firefighting, police, and other emergency equipment (including, without limitation, equipment owned or operated by a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code [55 ILCS 5]), with audible and visual signals, owned or operated by or for a governmental entity, which is necessary to the preservation of life or property or the execution of emergency*

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*governmental functions which are normally not subject to general traffic rules and regulations. [625 ILCS 5/6-500(6)]*

*"Commuter Van" – a motor vehicle designed for the transportation of not less than seven or more than 16 passengers, that is used in a ridesharing arrangement [625 ILCS 5/1-111.9].*

"Competent Medical Specialist" – a person licensed under the Medical Practice Act [225 ILCS 60], or similar law of another jurisdiction, to practice medicine in all of its branches.

"Confirmed Medical Emergency" – documented medical emergency from a licensed physician specifying the cited driver is unable to appear during the 30 day re-testing period. This includes, but is not necessarily limited to, the following conditions: hospitalization, serious illness, broken limbs.

"Consular Identification Document" – an official identification card issued by a foreign government that meets the criteria set forth in Section 5 of the Consular Identification Document Act [5 ILCS 230/5] and the issuing consulate has filed with the Department of State Police a copy of the consular identification document and a certification of the procedures that are used to satisfy Sections 2 and 3 of the Consular Identification Document Act.

*"Conviction" – A final adjudication of guilty by a court of competent jurisdiction after a bench trial, trial by jury, plea of guilty, order of forfeiture, or default [625 ILCS 5/6-100(b)].*

"Conviction-CLP Holder" or "Conviction-CDL Holder" – *an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal; an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court; a plea of guilty or nolo contendere accepted by the court; the payment of a fine or court cost regardless of whether the imposition of sentence is deferred and ultimately a judgment dismissing the underlying charge is entered; or a violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated [625 ILCS 5/6-500(8)].*

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"Cooperative Driver Certificate" – a certificate prescribed by the Secretary of State indicating a successfully-completed road test, subject to spot check by the Secretary of State, was administered to a driver education student, who has successfully completed driver training by an Illinois State Board of Education approved driver education instructor.

"Cooperative Driver Testing Program" – a program offered by the Department to local school boards with accredited driver education courses, allowing students who receive a grade of A or B in the driver education course and who pass a road test administered by a Department certified high school driver education instructor to be exempted from a road test administered by the Department.

"Court Documents" – the items issued by a court, such as reports, notices, summonses, subpoenas, orders and transcripts.

"Criminal Justice Agencies" – the federal and state courts, a governmental agency or sub-unit that performs the duties of the detection, apprehension or detention of accused persons or criminal offenders pursuant to a statute.

"Current Medical Report" – any medical report completed within 90 days after receipt by the Department that is signed and dated by a competent medical specialist.

"Current Telescopic Lens Vision Specialist Report" – any vision specialist report completed for a telescopic lens user that has been completed within six months prior to receipt by the Department and is signed and dated by a licensed vision specialist.

"Current Vision Specialist Report" – any vision specialist report completed for a driver that has been completed within six months prior to receipt by the Department and is signed and dated by a vision specialist.

"Custom Harvester" – any individual, partnership, corporation or association engaged in a business operation for the purpose of harvesting agricultural commodities other than their own on a contract basis.

"Dangerous Action" – an act by the applicant that could endanger a person or property.

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"Day" – a calendar day.

"Denial" – any entry on a person's driving record by the Department indicating a driver may not renew his/her driver's license or privileges until the conditions set forth by the Department are met (see IVC Section 6-103).

"Denial of Driver's License" – the act of prohibiting or disallowing the privilege to obtain a driver's license while allowing the privilege to obtain an instructional permit and limiting privileges to that of an instructional permit if a driver's license has previously been issued (see IVC Section 6-107(c) and (d)).

"Denial of Driving Privilege" – the act of prohibiting or disallowing the privilege to obtain a driver's license or permit and/or the privilege to operate a motor vehicle (see IVC Sections 6-103, 6-107(c), 6-108.1).

"Department" – the Department of Driver Services within the Office of the Secretary of State.

"Department of Administrative Hearings" – the Department of Administrative Hearings of the Office of the Secretary of State.

"Determination of No Security Threat" – an administrative determination by TSA that an individual does not pose a security threat warranting denial of a Hazardous Material Endorsement.

"Disabled Person Identification Card" – a standard identification card as defined in Section 4A of the Illinois Identification Card Act [15 ILCS 335/4A] issued for no fee to persons who meet the definition of disabled (see IVC Section 1-159.1).

*"Disability" – an individual's physical or mental impairment that substantially limits one or more of the major life activities; a record of such impairment, or when the individual is regarded as having such impairment [625 ILCS 5/6-117.2(f)].*

*"Disqualification" – a disqualification means any of the following three actions:*

*the suspension, revocation, or cancellation of a CLP or CDL by the state or jurisdiction of issuance;*

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*any withdrawal of a person's privileges to drive a commercial motor vehicle by a state or other jurisdiction as a result of a violation of state or local law relating to motor vehicle traffic control (other than parking, vehicle weight or vehicle defect violations);*

*a determination by FMCSA that a person is not qualified to operate a commercial motor vehicle under 49 CFR 391 (October 1, 2014). [625 ILCS 5/1-115.3]*

"Disseminating Agency" – an agency authorized by the Secretary of State to distribute or share an image received from the Secretary of State for purposes of secondary dissemination.

"Drive" – *operate or be in physical control of a motor vehicle* [625 ILCS 5/4-115.8].

"Driver" – *every person who drives or is in actual physical control of a vehicle* [625 ILCS 5/1-116].

"Driver Applicant" – a person who applies to a state or other jurisdiction to obtain, transfer, upgrade or renew a CDL or to obtain or renew a CLP.

"Driver's License Test" – a test administered by the Secretary of State that consists of a vision test, written test and/or road test.

"Driver's License Issuance Error" – any act or omission by a Secretary of State employee that results in the driver being not qualified to hold the license as it is classified, restricted and/or endorsed.

"Driver's License Record" – a file maintained by the Secretary of State on each driver in Illinois pursuant to IVC Section 6-117.

"Driver Rehabilitation Specialist" – a person who possesses an undergraduate degree in rehabilitation, education, health, safety, therapy or related profession (or equivalent of eight years of experience in driver rehabilitation); possesses a current Association of Driver Educators for the Disabled (ADED) Certification as a Driver Rehabilitation Specialist (consisting of successful completion of 100 clock hours of educational experience, in combination with safety and medical

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aspects of disabilities; a minimum of 30 hours must be gained from attending ADED approved courses or workshops).

"Driver Remedial Education Course" – an organized remedial activity approved by the Driver Services Department for improving the driving habits of certain suspended drivers. The course shall consist of individual counseling and/or group sessions of instruction and shall not exceed two sessions or a total of nine hours of instruction.

"Driver Services Facility" – the offices located throughout Illinois for the purpose of issuing driver's licenses and providing to the public other necessary services connected with the Secretary of State's Office.

"Driver Services Facility Representative" – an employee of the Department of Driver Services of the Office of Secretary of State.

"Driving Abstract" – a record kept by the Department of Driver Services containing all information required under IVC Section 6-106(b) and all records of violations of traffic laws and administrative actions pertaining to driving privileges.

"Driving Evaluation" – an assessment by a driver education specialist at a rehabilitation institution of an applicant's ability to safely operate a motor vehicle.

"Driving Skills" – the ability of an applicant to perform maneuvers to be demonstrated during a road test.

"Employer" – any individual, corporation, partnership or association that employs charter bus drivers licensed under IVC Section 6-508.

"Employer Certification" – a form submitted by the employer, as prescribed by the Secretary of State, certifying an applicant has met all conditions for application, or that a driver who is no longer eligible for a charter bus driver endorsement has been removed from service.

"Endorsement" – an authorization to an individual's CLP or CDL required to permit the individual to operate certain types of commercial motor vehicles.

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"Enrolled in a Driver Education Course" – active participation in, and the 30 days immediately preceding, the start of regularly scheduled classroom instruction of an approved driver education course.

"Examiner" – an employee of the Secretary of State who is qualified to administer all driver's license tests.

*"Excepted Interstate" or "EI" – a person who operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted under 49 CFR 390.3(f), 391.2, 391.69 or 398.3 (October 1, 2014) from all or part of the qualification requirements of 49 CFR 391 (October 1, 2014) and is not required to obtain a medical examiner's certificate by 49 CFR 391.45 (October 1, 2014). [625 ILCS 5/6-500(15.3)]*

*"Excepted Intrastate" or "EA" – a person who operates in intrastate commerce but engages exclusively in transportation or operations excepted from all or parts of the state driver qualification requirements. [625 ILCS 5/6-500 (15.5)]*

"Facility-Administered Road Test" – an actual demonstration of the applicant's ability to exercise ordinary and reasonable control of the operation of a motor vehicle administered by a Driver Services Facility employee.

"Farm" – structures and lands used primarily for the raising of agricultural or horticultural commodities, including livestock, poultry, fur-bearing animals, fruit, vegetables, flowers and other plants; "farm" includes ranches, nurseries, greenhouses, orchards, etc.

"Farm Retail Outlet and/or Supplier" – any individual, partnership, corporation or association engaged in a business operation for the purpose of selling or distributing agricultural commodities.

"Favorable Medical Report" – a current medical report that has been completed in its entirety and does not require additional information and/or clarification or is not medically questionable. A favorable medical report specifies a professional opinion from the competent medical specialist that the driver is medically/mentally fit to safely operate a motor vehicle.

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"Favorable Vision Specialist Report" – a current vision specialist report that has been completed in its entirety that does not require additional information and/or clarification.

"Federal Motor Carrier Safety Administration" or "FMCSA" – a separate administration within the U. S. Department of Transportation dedicated to improving the safety of commercial motor vehicles and saving lives.

"Felony" – an offense under state or federal law that is punishable by death or imprisonment for a term of one year or more.

"Final Determination of Threat Assessment" – a final administrative determination by TSA, including the resolution of related appeals, that an individual poses a security threat warranting denial of a Hazardous Material Endorsement.

"Fingerprint Process" – a method by which an applicant's fingerprints are taken for the purpose of a criminal background investigation for a charter bus driver endorsement and submitted to the Illinois Department of State Police (ISP) and the Federal Bureau of Investigation (FBI).

*"First Division Vehicle" – any motor vehicle designed to carry not more than 10 persons [625 ILCS 5/1-217].*

*"Foreign Jurisdiction" – a sovereign jurisdiction that does not fall within the definition of "state" [625 ILCS 5/6-500(B)(17)].*

"Foreign National" – a non-citizen of the United States of America who has been granted temporary, legal entry into this country by the U.S. Citizenship and Immigration Services (USCIS), who is temporarily residing in this State and is ineligible to obtain a social security number through the Social Security Administration, and who is not required to obtain a driver's license issued by the U.S. Department of State, Office of Foreign Missions.

"Foreign Speaking Applicant" – any applicant unable to understand oral directions given by the examiner.

*"For-Profit Ridesharing Arrangement" – the transportation by motor vehicle of not more than 16 persons, including the driver, for which a fee is charged in*

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*accordance with Section 6 of the Ride Sharing Arrangements Act [625 ILCS 30/6]. [625 ILCS 5/1-122.7]*

"Fraud" – includes anything calculated to deceive, whether it be a single act or combination of circumstances, whether the suppression of truth or the suggestion of what is false, whether it be by direct falsehood or by innuendo, by speech or by silence.

"Functional Ability" – the degree of cognitive, mental or emotional sensor motor, and sensory capability in performing activities of daily living, including safely performing driving tasks.

"Good Cause" – examples of dangerous driving or of a physical or mental condition that interferes with safe driving or a situation in which a Secretary of State Driver Services Facility supervisor fails to give a required test or section of a test.

*"Gross Combination Weight Rating" or "GCWR" – the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon as specified in 49 CFR 383.5 (October 1, 2014). [625 ILCS 5/1-124.5]*

*"Gross Vehicle Weight Rating" or "GVWR" – the value specified by the manufacturer or manufacturers as the maximum loaded weight of a single vehicle. The GVWR of a combination of vehicles (commonly referred to as the "Gross Combination Weight Rating" or "GCWR") is the GVWR of the power unit plus the GVWR of the towed unit or units. In the absence of a value specified by the manufacturer, GCWR is determined by adding the GVWR of the power unit and the total weight of the towed unit and any load on the unit [625 ILCS 5/1-124.5].*

"Hazardous Material Endorsement" or "HME" – an indicator on the driver's license that the driver is qualified to transport hazardous materials that require placarding.

"Hazardous Materials" – any material that has been designated as hazardous under 49 USC 5103 and is required to be placarded under subpart F of 49 CFR 172

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(October 1, 2014) or any quantity of a material listed as a select agent or toxin in 42 CFR 73 (October 1, 2014).

"High School Student" – a student who attends a public or private secondary school accredited by the Illinois State Board of Education.

*"Illinois Medical Advisory Board" or "Board" – a panel consisting of at least nine physicians appointed by the Secretary [625 ILCS 5/6-902].*

"Illinois Vehicle Code" or "Vehicle Code" or "IVC" – 625 ILCS 5.

"Image" – the digital photo and signature captured in the process of issuing an Illinois driver's license or identification card and retrieved from the Secretary of State database.

"Immediate Family Member" – a parent, child, sibling, grandparent, step-parent, step-child, step-sibling or step-grandparent.

"Immediate Farm Family Member" – a member of the farmer's family is a natural or in-law, spouse, child, parent or sibling as provided in IVC Section 6-507(c).

*"Imminent Hazard" – the existence of:*

*any condition of a vehicle, employee, or commercial motor vehicle operations that substantially increases the likelihood of serious injury or death if not discontinued immediately; or*

*a condition relating to hazardous material that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury or endangerment. [625 ILCS 5/6-500(20.5)]*

"Incomplete Medical Report" – a medical report that has not been completed in its entirety, or a medical agreement that has not been signed and dated by the driver.

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"Incomplete Telescopic Lens Vision Specialist Report" – a telescopic lens vision specialist report that has not been completed in its entirety. Examples of an incomplete report include, but are not limited to, omission of name, address, signature or professional license number of the vision specialist or date or one that contains illegible information or fails to answer any of the questions contained within the report.

"Initial Determination of Threat Assessment" – an initial administrative determination by TSA that an individual poses or may pose a security threat warranting denial of a Hazardous Material Endorsement.

"In Loco Parentis" – a person who is acting in place of a minor's parent with a parent's rights, duties and authority.

"Instruction Permit" – a driving permit issued to operate a motor vehicle pursuant to the requirements of IVC Section 6-105 or 6-107.

"Invalidate" – to render invalid any driver's license, permit or driving privileges.

"Invalidation" – the withdrawal, by consent, court order, death of the holder or holder's failure to complete a driver remedial education course of the validation, of a person's license, permit and/or driving privilege under IVC Chapter 6.

"Judicial Driving Permit" – a permit issued granting a driver limited driving privileges as provided in IVC Section 6-206.1.

"Law Enforcement Official" – a federal, state or local police officer, sheriff, coroner, municipal prosecutor, state's attorney or U.S. attorney.

"LEADS" – the Illinois Law Enforcement Agencies Data System.

"Livestock" – any animals such as cattle, sheep, swine, buffalo, cafalo, cattalo, domestic deer, domestic elk, domestic antelope, domestic reindeer, water buffalo and goats.

"Livestock Feeder" – any individual, partnership, corporation or association engaged in a business operation for the purpose of producing livestock.

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"Mandatory Insurance" – The insurance requirements under IVC Chapter 7, Article VI.

"Mandatory Liability Insurance Policy" – a liability insurance policy issued in amounts no less than the minimum amounts set for bodily injury or death and for destruction of property (see IVC Section 7-203), and issued in accordance with the requirements of Sections 143a and 143a-2 of the Illinois Insurance Code [215 ILCS 5/143a and 143a-2]. This definition does not include vehicles subject to the provisions of IVC Chapter 18 or 18a, Article III or IVC Section 7-609, 12-607 or 12-707.01; vehicles required to file proof of liability insurance with the Illinois Commerce Commission; vehicles covered by a certificate of self-insurance (see IVC Section 7-502); vehicles owned by the United States Government, State of Illinois or any political subdivision, municipality or local mass transit district; implements of husbandry (see IVC Section 1-130), other vehicles complying with laws that require insurance in amounts meeting or exceeding the minimum amounts required under the IVC; and inoperable or stored vehicles that are not operated.

"Mandatory Law Enforcement Report" – an unsigned message directed to the Department electronically from law enforcement containing the same information as the form designed by the Department.

"Mechanical Aid" – a device added to a motor vehicle that would enhance the operator's ability to safely operate the vehicle.

"Medical Agreement" – an agreement signed and dated by the driver, maintained as part of the medical report, and including the following conditions and/or information:

a condition that the driver remain under the care of his/her competent medical specialist;

a condition that the driver adhere to the treatment and/or medication;

authorization by the driver to the competent medical specialist to report any change in the driver's condition that would impair the driver's ability to operate a motor vehicle;

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possible consequences for failing to abide by any or all of the conditions contained in the medical agreement.

*"Medical Examiner" – a person who is licensed, certified, or registered in accordance with applicable state laws and regulations to perform physical examinations. The term includes but is not limited to doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic. [625 ILCS 5/6-500(21.1)]*

*"Medical Examiner's Certificate" – a document prescribed or approved by the Secretary of State that is issued by a medical examiner to a driver to medically qualify him or her to drive. [625 ILCS 5/6-500(21.2)]*

"Medical Exemption" – temporary regulatory relief for up to two years from one or more Federal Motor Carrier Safety Regulations given to a person, by FMCSA, subject to the regulations, or a person who intends to engage in an activity that would be subject to the regulations in accordance with 49 CFR 381.300 (October 1, 2014).

"Medical Professional" – a person licensed under the Medical Practice Act [225 ILCS 60], or similar law of another jurisdiction, a physician assistant who has been delegated the authority to make the required determination by his or her supervising physician, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make the determination.

"Medical Report" – a confidential medical questionnaire directed to the Department and approved by the Illinois Medical Advisory Board, or a statement on letterhead made by a competent medical specialist containing the same information as the form designed by the Department.

"Medical Restriction Card" – a card designed and issued by the Department that describes and explains the limitations and/or conditions noted in the restriction area of a person's driver's license.

"Medical Waiver" – temporary regulatory relief for up to three months from one or more Federal Motor Carrier Safety Regulations given to a person, by FMCSA, subject to the regulations, or a person who intends to engage in an activity that

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would be subject to the regulations in accordance with 49 CFR 381.200 (October 1, 2014).

*"Medical Variance" – a driver has received one of the following from FMCSA, which allows the driver to be issued a medical certificate:*

*an exemption letter permitting operation of a CMV pursuant to 49 CFR 381 (October 1, 2014), subpart C or 49 CFR 391.64 (October 1, 2014); or*

*a skilled performance evaluation (SPE) certificate permitting operation of a CMV pursuant to 49 CFR 391.49 (October 1, 2014). [625 ILCS 5/6-500 (21.5)]*

*"Mental or Physical Disorder or Disability" – a scientifically recognized condition that may medically impair a person's mental and/or physical health to the extent of being unable to safely operate a motor vehicle.*

*"Military Deferral Card" – a card issued at the expiration of the driver's license to extend the expiration while in the military, of the license of the licensee, spouse and dependent children who are living with the licensee while on active duty serving in the Armed Forces of the United States outside the State of Illinois.*

*"Minor" – a person under 18 years of age.*

*"Miscellaneous Suspension" – a suspension for safety responsibility, financial responsibility, warrant parking/traffic, auto emissions, failure to appear, curfew, mandatory conviction, tollway, family financial responsibility, automated traffic law violation, nighttime driving restriction or unsatisfied judgement.*

*"Monocular Vision Acuity" – a visual acuity reading obtained utilizing each individual eye.*

*"Moped" – a motor-driven cycle, with or without optional power derived from manually operated pedals, whose speed attainable in one mile is at least 20 m.p.h. but not greater than 30 m.p.h., and is equipped with a motor that produces 2 brake horsepower or less. If an internal combustion engine is used, the displacement shall not exceed 50 cubic centimeter displacement and the power drive system shall not require the operator to shift gears. [625 ILCS 5/1-148.2]*

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*"Motorcycle" – every motor vehicle having a seat or saddle for use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor [625 ILCS 5/1-147].*

*"Motorcycle Rider Safety Training Course" – a course of instruction in the use and operation of motorcycles and/or motor-driven cycles, including instruction in the safe on-road operation of motorcycles and/or motor-driven cycles, the rules of the road and the laws of this State relating to motor vehicles, which course must meet the requirements set out in 92 Ill. Adm. Code 455.101.*

*"Motor-Driven Cycle" – every motorcycle and every motor scooter with less than 150 cubic centimeter piston displacement, including motorized pedalcycles [625 ILCS 5/1-145.001].*

*"Motor Vehicle" – every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for vehicles moved solely by human power and motorized wheelchairs. Motor vehicles are divided into two divisions:*

*First Division: Those motor vehicles that are designed for the carrying of not more than 10 persons.*

*Second Division: Those motor vehicles that are designed for carrying more than 10 persons, those motor vehicles designed or used for living quarters, those motor vehicles that are designed for pulling or carrying freight, cargo or implements of husbandry, and those motor vehicles of the First Division remodeled for use and used as motor vehicles of the Second Division. [625 ILCS 5/1-146]*

*"Motor Vehicle Departments of Foreign States" – the departments in other states that issue driver's licenses.*

*"Motor Vehicle Record" – a report of the driving status and history of a driver generated from the driver record provided to users, such as drivers or employers, and is subject to the provisions of the Driver Privacy Protection Act (18 USC 2721-2725). [625 ILCS 5/6-500(22.2)]*

*"Nasal Vision Reading" – a field of vision 35° from the straight ahead.*

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"National Driver Register" or "NDR" – a computerized database of files on drivers maintained by the U.S. Department of Transportation, National Highway Traffic Safety Administration.

"Night" – the hours during the period from sunset to sunrise.

"Nighttime Drive" – a road test administered during the hours of sunset to sunrise.

"Nighttime Driving Privilege" – a privilege granted to a licensed driver to operate a motor vehicle during nighttime hours while wearing a telescopic lens arrangement.

"Non-CDL" – any other type of motor vehicle license, such as an automobile driver's license or a motorcycle license.

"Non-CDL Skills Test" – any drive test given to an applicant who is attempting to obtain a driver's license except for a Class D, a CDL or a CDL endorsement.

*"Non-Excepted Interstate" or "NI" – a person who operates or expects to operate in interstate commerce, is subject to and meets the qualification requirements under 49 CFR 391 (October 1, 2014), and is required to obtain a medical examiner's certificate by 49 CFR 391.45 (October 1, 2014). [625 ILCS 5/6-500(22.7)]*

*"Non-Excepted Intrastate" or "NA" – a person who operates only in intrastate commerce and is subject to State driver qualification requirements. [625 ILCS 5/6-500(22.8)]*

"Official Investigation" – the act of examining and inquiring into an occurrence or circumstance with care and accuracy by a duly authorized member of a local, state or federal agency while acting in his/her professional capacity.

"Operator's License" – any driver's license to operate a motor vehicle issued under the laws of any state.

"Organized Religion" – a group of people with the same or similar beliefs brought together to exercise those beliefs.

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"P Endorsement" – a notation on the driver's license that the driver has qualified to operate a vehicle designed to transport 16 or more persons, including the driver.

"Peripheral Vision" – vision from the outside line of direct sight toward the temporal area.

"Preliminary Favorable Medical Report" – a current medical report or a current written statement on official letterhead that is signed and dated by a competent medical specialist indicating in his/her professional opinion the driver is medically fit to safely operate a motor vehicle; however, additional information and/or clarification or consultation is needed.

"Probationary License" – a special license granting full driving privileges during a period of suspension and is issued upon successful completion of a driver remedial education course.

"Problem Driver Pointer System" or "PDPS" – a pointer file consisting of an index of problem drivers (as determined by adverse driver's license actions) that is maintained by a driver's home state (SOR) and is accessed by other states (SOI) to determine a person's eligibility to apply for a driver's license.

"Proof of Insurance" – acceptable forms of proof of insurance include, but are not limited to, the following:

Illinois insurance card that contains the company name, policy number, effective and expiration dates, name of the insured, vehicle year and make and a minimum of the last six characters of the Vehicle Identification Number (VIN);

*Combination of proof of purchase of the motor vehicle within 60 days and a current insurance card [625 ILCS 5/7-602(b)];*

*Current declaration page of a liability policy [625 ILCS 5/7-602(c)] that contains the company name, policy number, effective and expiration dates, name of the insured, vehicle description and liability limits of the policy;*

*Liability insurance binder [625 ILCS 5/7-602(d)];*

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*Certificate of Insurance* [625 ILCS 5/7-602(d)];

*Payment receipt for a liability insurance premium* [625 ILCS 5/7-602(d)] that contains the company name, policy number, effective and expiration dates, name of the insured, vehicle year, make and a minimum of the last six characters of the VIN, date of premium payment and signature of company representative;

*Current rental agreement* [625 ILCS 5/7-602(e)];

*Registration plates, registration sticker or other evidence of registration issued by the Secretary of State's Office only upon submission of proof of liability insurance* [625 ILCS 5/7-602(f)];

*Certificate, decal or other document or device issued by a governmental agency for a motor vehicle indicating the vehicle is insured for liability* [625 ILCS 5/7-602(g)] (or has qualified for an exemption to the liability insurance law).

"Prosthesis" – an artificial limb such as arm or leg.

"Public Safety Worker" – a person employed by this State or a political subdivision thereof that provides firefighting, medical or other emergency services [625 ILCS 5/6-117.2(f)].

"Questionable Medical Report" – a medical report that contains medical information raising some reasonable doubt regarding the driver's medical ability to safely operate a motor vehicle, including the following:

A medical report that indicates the driver has experienced an attack of unconsciousness within the past six months;

The medical report lacks a professional opinion indicating whether the driver is medically fit to safely operate a motor vehicle;

The medical report was signed and/or completed by someone other than a competent medical specialist;

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The competent medical specialist recommends the driver has driving privileges, however, expresses reservations about the driver's ability to safely operate a motor vehicle.

*"Reckless Driving" – driving a motor vehicle with a willful or wanton disregard for the safety of persons or property or knowingly driving a vehicle using an incline in a roadway, such as a railroad crossing, bridge approach or hill to cause the vehicle to become airborne [625 ILCS 5/11-503].*

"Registration Sticker" – a device or devices to be attached to a rear registration plate that will renew the registration and registration plate or plates for a pre-determined period not to exceed one registration year except as provided in IVC Section 3-414(1).

"Regularly Scheduled Classroom Instruction" – the continuous and uninterrupted education course that takes place during the specific time period (i.e., quarter) in which the school has scheduled the student to participate.

"Rehabilitation Institution" – any hospital, center, institute or facility engaged in a program to provide driver training for the disabled.

"Religious Organization Bus" – any vehicle other than a vehicle of the First Division or a school bus as defined by IVC Section 1-182 that is exclusively owned and operated by a religious organization and is used primarily in conducting the official activities of that organization.

"Religious Organization Vehicle Restriction" – the authority to operate a religious organization bus (see IVC Section 6-106.2).

"Representative Vehicle" – a motor vehicle that represents the type an applicant operates or expects to operate.

"Rescind" – to annul or void a suspension, revocation, cancellation, disqualification or denial.

"Restricted Local License" – a special restricted driver's license issued under IVC Section 6-113 and intended to enable a person to drive a specific route.

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"Restriction" – the notation on a driver's license or permit indicating requirements deemed applicable to the licensee by the Department to assure safe operation of a motor vehicle.

"Review of Driving Habits" – a review of the applicant's driving record maintained by the Office of the Secretary of State, or documentation from another licensing entity, that has been certified within 30 days prior to the date of application, to insure that the requirements are met (see IVC Sections 6-104, 6-508).

"Road Test" – an actual demonstration of the applicant's ability to operate a motor vehicle (see IVC Section 6-109).

"S Endorsement" – an endorsement for CDL holders who operate as a school bus driver to transport pre-primary, primary or secondary school students to and from home, from school to home, or to and from school-sponsored events.

"Safety Course" – an explanation provided by a rental agency to an individual during the rental transaction concerning the controls and features of the vehicle and its proper operation.

"Safety Officer" – any individual employed by a third-party certifying entity who is licensed by the Department to administer the CDL skills tests specified in subparts G and H of 49 CFR 383 (October 1, 2014) to the entities' employees and members. A safety officer is equivalent to a Third Party Skills Test Examiner as defined in 49 CFR 383.5 (October 1, 2014).

"SAVE" – the Systematic Alien Verification for Entitlements Program that allows electronic inquiries to U.S. Citizenship and Immigration Services (USCIS) by state motor vehicle agencies in the determination of the immigration status of an applicant for a Visa Status Temporary Visitor's Driver's License pursuant to IVC Section 6-105.1(a).

*"School Bus" – every motor vehicle, except as provided in this definition, owned or operated by or for any of the following entities for the transportation of persons regularly enrolled as students in grade 12 or below in connection with any activity of the entity:*

*Any public or private primary or secondary school;*

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*Any primary or secondary school operated by a religious institution; or*

*Any public, private or religious nursery school.*

*This definition shall not include the following:*

*A bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interurban transportation of passengers when the bus is not traveling a specific school bus route but is:*

*On a regularly scheduled route for the transportation of other fare paying passengers;*

*Furnishing charter service for the transportation of groups on field trips or other special trips or in connection with other special events; or*

*Being used for shuttle service between attendance centers or other education facilities.*

*A motor vehicle of the first division.*

*A motor vehicle designed for the transportation of not less than seven nor more than 16 persons that is operated by or for a public or private primary or secondary school, including any primary or secondary school operated by a religious institution, for the purpose of transporting not more than 15 students to and from interscholastic athletic or other interscholastic or school sponsored activities. [625 ILCS 5/1-182]*

"School Bus Commercial Learner's Permit" or "School Bus CLP" – a learner's permit that allows an applicant for a school bus permit to operate a school bus, but only when accompanied by a properly classified driver with a school bus driver permit.

"School Bus Driver Permit" – a permit issued to an applicant who has met all the requirements that authorize the individual to drive a school bus (see IVC Section 6-106.1).

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"Seasonal Restricted Commercial Driver's License" or "Restricted CDL" – a limited waiver for employees of certain farm-related services to operate specific commercial motor vehicles without a commercial driver's license for a limited period.

*"Second Division Vehicle" – any vehicle designed to carry more than 10 persons, those designed or used for living quarters and those vehicles designed to pull or carry property, freight or cargo, those motor vehicles of the first division remodeled for use and used as motor vehicles of the second division, and those motor vehicles of the first division used and registered as school buses [625 ILCS 5/1-217].*

"Secondary Dissemination" – the distributing or sharing of an image by a source other than the primary source (Secretary of State) that has direct access to the image.

*"Secretary of State" – the Secretary of State of Illinois [625 ILCS 5/1-184].*

"Self-Admission" – a statement or indication from the driver that he/she has a mental disorder/disability and/or physical condition or disability that may impair the ability to safely operate a motor vehicle or that is likely to cause a loss of consciousness.

"Self-Certification" – a driver's signed and dated declaration of the type of driving (NI, EI, NA, EA) in which he or she engages or expects to engage while operating a CMV.

"Senior Citizen Transportation Vehicle" – a vehicle, other than a vehicle of the first division or a school bus, exclusively owned and operated by a senior citizen organization and used primarily in conducting the official activities of the organization.

"Serious Traffic Violation" – a conviction when operating a commercial motor vehicle, or when operating a non-CMV, while holding a CLP or CDL of: a violation relating to excessive speeding involving a single speeding charge of 15 miles per hour or more above the legal speed limit; a violation relating to reckless driving; a violation of any State law or local ordinance relating to motor vehicle traffic control (other than parking violations) arising in connection with a fatal traffic accident; a violation, relating to having multiple driver's licenses (see IVC

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Section 6-501); a violation relating to the requirement to have a valid CLP or CDL (see IVC Section 6-507(a)); a violation relating to improper or erratic lane changes; a violation relating to following another vehicle too closely; any other similar violation of a law or local ordinance of any state relating to motor vehicle traffic control, other than a parking violation, which the Secretary of State determines to be serious pursuant to 92 Ill. Adm. Code 1040.20.

"Skills Performance Evaluation" or "SPE" – a certificate, issued by FMCSA to a driver with a missing limb, in accordance with 49 CFR 391.49 (October 1, 2014), which allows the driver to operate a CMV.

*"Special Needs Individuals" – those individuals who have or are at increased risk for a chronic physical, developmental, behavioral, or emotional condition and who also require health and related services of a type or amount beyond that required be individuals generally [625 ILCS 5/6-117.2(f).*

"SSOLV" – the Social Security Online Verification system that allows electronic inquiries to the Social Security Administration by state motor vehicle agencies to verify names and social security numbers of applicants for driver's licenses or identification cards.

*"State" – a state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a province of the Dominion of Canada [625 ILCS 5/1-195].*

*"Suspension" – the temporary withdrawal by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways, for a period specifically designated by the Secretary [625 ILCS 5/1-204].*

*"Tank Vehicle" – any commercial motor vehicle that is designed to transport any liquid or gaseous material within a tank or tanks having an individual rate capacity of more than 119 gallons and an aggregate rated capacity of 1,000 gallons or more that is either permanently or temporarily attached to the vehicle or the chassis. Those vehicles include, but are not limited to, cargo tanks and portable tanks, as defined in 49 CFR 171 (2011). [625 ILCS 5/1-204.4]*

"Telescopic Lens Arrangement" – a non-standard adaptive device that aids in improving vision deficits.

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"Telescopic Lens Vision Specialist Report" – an approved confidential vision questionnaire directed to the Department, or a statement on letterhead made by a vision specialist, containing the same information as the form designed by the Department.

"Temporal Vision Reading" – a field of vision 70° from the straight ahead.

"Temporary Driver's License or Instruction Permit" – a driver's license or instruction permit issued for no longer than 90 days to a person who is temporarily unable to obtain a license or instruction permit.

"Temporary Visitor's Driver's License" or "TVDL" – a license issued to:

a foreign national who is authorized to temporarily reside in this country allowing the operation of a motor vehicle under the laws of this State (referred to in this Part as "Visa status"); or

*an applicant who:*

*resided in this State for a period in excess of one year;*

*is ineligible to obtain a social security number; and*

*is unable to present documentation issued by the United States Citizenship and Immigration Services authorizing the person's presence in this country [625 ILCS 5/6-105.1(a-5)] referred to in this Part as "non-Visa status".*

"Termination of an Adjudication of Disability Order" – an order by a court of competent jurisdiction terminating an adjudication of disability of the driver pursuant to Section 11a-20 of the Probate Act of 1975 [755 ILCS 5/11a-20].

"Third-Party Certification License" – a license issued by the Secretary of State to a third-party certifying entity that allows the entity to participate in the third-party certification program.

"Third-Party Certification Program" – a Secretary of State program that allows a third-party entity to administer the CDL skills tests specified in subparts G and H of 49 CFR 383 (October 1, 2014) to its employees or members.

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"Third-Party Certifying Entity" or "Entity" – an entity licensed by the Secretary of State to participate in the third-party certification program. A third-party certifying entity is equivalent to a third party tester as defined in 49 CFR 383.5 (October 1, 2014).

"Transportation Security Administration" or "TSA" – a division of the Department of Homeland Security administering provisions of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA Patriot Act; Public Law 107-56, 115 Stat. 272).

"Traffic Regulation Governing the Movement of Vehicles" – a violation for which points are assigned pursuant to 92 Ill. Adm. Code 1040.20.

"Type A Injury" – an injury that requires immediate professional attention in either a doctor's office or a medical facility and includes severely bleeding wounds, distorted extremities and injuries requiring the injured party to be carried from the scene.

"Traffic Environmental Screening" – a screening designed by the Department that shall consist of the driver demonstrating the ability to recognize actual traffic conditions using the telescopic lens arrangement while riding with and being evaluated by a Driver Services Facility representative.

"Unfavorable Medical Report" – a medical report signed and completed by a competent medical specialist containing a professional opinion that, due to a physical and/or mental disorder/disability, the driver is not medically fit to operate a motor vehicle.

"Unfavorable Telescopic Lens Vision Specialist Report" – a telescopic lens vision specialist report signed and completed by a licensed vision specialist that indicates a professional opinion that the driver is not capable of safely operating a motor vehicle, or the monocular or binocular acuity readings and/or peripheral readings do not meet Illinois standards, or the peripheral vision readings do not meet Illinois standards as set forth in Section 1030.70, or the power of the telescopic lenses does not meet Illinois standards as set forth in Section 1030.75.

"Unfavorable Vision Specialist Report" – a vision specialist report signed and completed by a vision specialist:

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indicating the monocular or binocular acuity and/or peripheral vision readings do not meet Illinois standards as set forth in Section 1030.70, the driver would not accept or has refused the recommended correction, and his/her vision readings without this correction are not favorable; or

containing a professional opinion that, due to a vision condition, the driver is not visually safe to operate a motor vehicle.

"Unfit to Stand Trial Order" – an order by a court of competent jurisdiction whereby a defendant, because of a mental or physical condition, is unable to understand the nature and purpose of the proceeding against him/her or to assist in his/her defense pursuant to Section 104-10 of the Code of Criminal Procedure [725 ILCS 5/Art. 104-10].

"USCIS" – U.S. Citizenship and Immigration Services is a bureau of the U.S. Department of Homeland Security (USDHS) that is in charge of processing immigrant visa petitions, naturalization petitions, and asylum and refugee applications, as well as making adjudicative decisions performed at the services centers and managing all other immigration benefit functions.

"Valid Driver's License or Permit" – a license or permit issued by the Secretary of State that is of the proper classification for the purposes for which it is being used and that has not expired, been invalidated, denied, canceled, revoked, suspended or disqualified, or been used after a curfew or nighttime driving restriction.

"Vendor" – an authorized fingerprint company approved by the Illinois State Police (ISP) who will transmit fingerprint data to ISP to be forwarded to the FBI.

"Verification of Residency Form" – a form printed by the Secretary of State that non-Visa status temporary visitor's driver's license applicants shall complete and that contains all Illinois addresses at which the applicant has resided for the 12 months immediately prior to application.

"Vision Screening" – the readings obtained by a physician, ophthalmologist, optometrist or Department representative of an applicant's visual acuity and peripheral fields of vision.

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"Vision Specialist" – a doctor licensed to practice medicine in optometry under the Illinois Optometric Practice Act [225 ILCS 80] or a competent medical specialist.

"Vision Specialist Report" – an approved confidential vision questionnaire directed to the Department, or a statement on letterhead made by a vision specialist, containing the same information as the form designed by the Department.

"Visual Acuity Readings" – the minimum vision standards set forth in Sections 1030.70 and 1030.75.

"Visual Peripheral Readings" – the minimum vision standards set forth in Sections 1030.70 and 1030.75.

"Withdrawal" – the negating of valid driving privileges by a state as the result of sanctions taken against driving privileges.

(Source: Amended at 40 Ill. Reg. 7330, effective May 2, 2016)

**Section 1030.90 Requirement for Photograph and Signature of Licensee on Driver's License**

- a) Application
- Every driver's license issued pursuant to IVC Section 6-110 shall include, as an integral part of the license, a head and shoulder, full-faced color photograph of the driver to whom the driver's license is being issued. A full-faced photograph must be taken without any obstruction of the applicant's facial features or any items covering any portion of the face. Prescription glasses and religious head dressings not covering any areas of the open face may be allowed. The driver's license shall be a photographically generated document that also includes the required information pertaining to the driver, the driver's signature, and other special security features to reduce the possibility of alteration and/or illegal reproduction. The driver's license must utilize a photograph taken of the driver at a Driver Services Facility that is produced by equipment specifically designed for this purpose. The driver's license must utilize a photograph and signature updated at least every 8 years, unless the driver holds a military deferral certificate or civilian employee deferral card issued by the Department.

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- b) Exceptions  
Exceptions may be made in the best interest of individual Illinois drivers as follows:
- 1) Established Religious Convictions-
    - A) A driver will not be required to submit to a photograph if sufficient justification is provided by the driver to establish that a photograph would be in violation of or contradictory to the driver's religious convictions. If a driver declares that the use of a photograph is against his/her religious convictions, the driver will be given an Affidavit to be completed. This Affidavit contains designated areas for a detailed written explanation of the reasons why a photograph is against the driver's religious convictions, a place for the driver's signature and date, the designation of the religious sect or denomination involved, space for a minister or other religious leader to apply his/her signature attesting to the explanation the driver has offered, along with the date and official title of the minister or religious leader.
    - B) The Affidavit shall be forwarded by the driver to the Driver Services Department Central Office in Springfield where a review and a decision will be made by the Director of the Driver Services Department relative to the issuance or non-issuance of a valid driver's license without photograph. To assist the Director in this decision, a committee of three administrative personnel will be appointed by the Director. Each Affidavit will be reviewed by each member of the committee, and each individual recommendation will be made to the Director for his final decision.
    - C) A non-photo temporary driver's license, not to exceed 90 days in duration, shall be issued to allow for driving privileges during the interim period while the Affidavit will be reviewed and a decision will be made by the Director.
    - D) Upon approval by the Director, a valid driver's license without a photograph will be issued from the Central Office utilizing an application signed by the driver. The driver's license will be mailed to the driver's home address.

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- 2) Facial Disfigurements:
  - A) When a driver requests a driver's license without a photograph because the driver states that it is embarrassing or distasteful to submit to a photograph because of a facial disfigurement caused by disease, trauma or congenital condition, the requirement of a photograph may be waived. The Supervisor of the Driver Services Facility in which the driver appears shall make a decision, based upon the extent of the facial disfigurement, regarding the issuance of a driver's license without a photograph. Should the Supervisor approve the issuance of a driver's license without a photograph, the driver's license will be issued from the Central Office utilizing an application signed by the driver. The driver's license will be mailed to the driver's home address.
  - B) Should the Supervisor not approve the issuance of a driver's license without a photograph, the Supervisor will forward a written statement from the driver, along with a statement from the Supervisor providing detailed information to the Director of the Driver Services Department regarding the extent of the disfigurement and the Supervisor's justification for disapproval. The Director of the Driver Services Department may obtain further information and/or professional opinions to support an objective decision regarding whether a valid driver's license without the photograph may be issued.
  - C) A non-photo temporary driver's license, not to exceed 90 days in duration, shall be issued to allow driving privileges during the interim period while the driver's license is being issued, or the statements relating to disapproval are being reviewed and a decision is being made.
  - D) Upon approval by the Director, a valid driver's license without a photograph will be issued from the Central Office utilizing an application signed by the driver. The driver's license will be mailed to the driver's home address.
- 3) Out-of-State:

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- A) Drivers who are temporarily residing outside the State of Illinois and/or who are temporarily absent from the State at the expiration date of the driver's license may apply for a valid driver's license without photograph and signature because of their inability to appear at an Illinois Driver Services Facility. If an Illinois driver declares, in writing, that he/she is out-of-state at the time the driver's license must be renewed, and submits this information with the properly completed application and renewal fee, a driver's license may be issued without the driver's photograph and signature.
- B) However, the driver will be informed that he/she must appear at a Driver Services Facility within 45 days upon returning to Illinois and exchange this valid driver's license without photograph and signature for a driver's license containing the driver's photograph and signature. This replacement driver's license is issued without additional charge to the driver. If the driver does not return to Illinois and obtain a replacement driver's license with the photograph and signature, the driver's license without the photograph and signature may not be renewed upon expiration unless the driver submits an affidavit attesting to the fact that he/she has not returned to the State of Illinois during the term of the driver's license without the photograph and signature.
- C) A non-photo temporary driver's license may be issued to those drivers who plan to return to Illinois within a 90-day period. If a driver's license renewal examination is required, this examination must be taken and will not be waived. In those cases in which reciprocal agreements exist with driver's licensing entities in other jurisdictions, the Illinois examination shall be administered by a qualified representative of the jurisdiction, and the results reported to and accepted by the Illinois Department.
- c) TVDL applicants or holders are not eligible for an exception under subsection (b)(3).
- d) Hearings  
Should the Director deny the issuance of a driver's license without photograph

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and/or signature, the individual may appeal that decision by requesting in writing a hearing pursuant to IVC Section 2-118.

(Source: Amended at 40 Ill. Reg. 7330, effective May 2, 2016)

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- 1) Heading of the Part: Cancellation, Revocation or Suspension of Licenses or Permits
- 2) Code Citation: 92 Ill. Adm. Code 1040
- 3) Section Number: 1040.20                      Adopted Action:  
Amendment
- 4) Statutory Authority: 625 ILCS 5/11-1431; 625 ILCS 5/11-1431(b); 625 ILCS 5/16-25(a)(1); 625 ILCS 5/11-605(e) (5.1); 625 ILCS 5/11-605(d-5) (1-2); 625 ILCS 5/11-605(E-2); ILCS 6-206; 625 ILCS 5/11-501.9; 625 ILCS and ILCS 12-218(b)
- 5) Effective Date of Rule: May 2, 2016
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Department's Division of Driver's Services, and is available for public inspection.
- 9) Notices of Proposed published in the *Illinois Register*: 40 Ill. Reg. 1715; January 22, 2016
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Section is being amended due to the passage of multiple Public Acts, it adds new offenses for which the Secretary of State may take sanctions against a driver's license and redefines definitions of existing violations.
- 16) Information and questions regarding this adopted rule shall be directed to:

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Jennifer Egizii  
Office of the Secretary of State  
Driver Services Department  
2701 South Dirksen Parkway  
Springfield IL 62723

217/557-4462

The full text of the Adopted Amendment begins on the next page:

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TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATEPART 1040  
CANCELLATION, REVOCATION OR SUSPENSION  
OF LICENSES OR PERMITS

Section	
1040.1	Definitions
1040.10	Court to Forward Licenses and Reports of Convictions
1040.20	Illinois Offense Table
1040.25	Suspension or Revocation for Driving Without a Valid Driver's License
1040.28	Suspension or Revocation for Traffic Offense Committed by a Person Under the Age of 21 Years After a Prior Suspension Under Part 1040.29
1040.29	Suspension or Revocation for Two or More Traffic Offenses Committed Within 24 Months by a Person Under the Age of 21
1040.30	Suspension or Revocation for Three or More Traffic Offenses Committed Within 12 Months
1040.31	Operating a Motor Vehicle During a Period of Suspension or Revocation
1040.32	Suspension or Revocation of Driver's Licenses, Permits or Identification Cards Used Fraudulently
1040.33	Suspension or Revocation of Driver's Licenses/Permits for Fictitious or Unlawfully Altered Disability License Plate or Parking Decal or Device or Fraudulent Disability License Plate or Parking Decal or Device
1040.34	Suspension or Revocation for Conviction for Possession/Consumption of Alcohol for Persons Under Age 21
1040.35	Administrative Revocation for Commission of an Offense Requiring Mandatory Revocation Upon Conviction, and Suspension or Revocation Based Upon a Local Ordinance Conviction
1040.36	Suspension for Violation of Restrictions on Driver's License
1040.37	Suspension for Violation of Restrictions on Instruction Permit
1040.38	Commission of a Traffic Offense in Another State
1040.40	Suspension or Revocation for Repeated Convictions or Collisions
1040.41	Suspension of Licenses for Curfew or Night Time Driving Restriction Violations
1040.42	Suspension or Revocation for Fleeing and Eluding
1040.43	Suspension or Revocation for Illegal Transportation
1040.44	Suspension or Revocation for Violation of Possession of Medical Cannabis in a Motor Vehicle
1040.46	Suspension or Revocation for Fatal Accident and Personal Injury Suspensions or

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- Revocations
- 1040.48 Vehicle Emission Suspensions (Repealed)
  - 1040.50 Occupational Driving Permit
  - 1040.52 Driver Remedial Education Course
  - 1040.55 Suspension or Revocation for Driver's License Classification Violations
  - 1040.60 Release of Information Regarding a Disposition of Court Supervision
  - 1040.65 Offenses Occurring on Military Bases
  - 1040.66 Invalidation of a Restricted Driving Permit
  - 1040.70 Problem Driver Pointer System
  - 1040.80 Cancellation of Driver's License Upon Issuance of a Disabled Person Identification Card
  - 1040.100 Rescissions
  - 1040.101 Reinstatement Fees
  - 1040.102 Bankruptcy Rule for Suspensions, Cancellations, Failure to Pay and Returned Checks Actions
  - 1040.105 Suspension for Five or More Tollway Violations and/or Evasions
  - 1040.107 Suspension for Violation of Improperly Approaching a Stationary Emergency Vehicle
  - 1040.108 Suspension for Failure to Make Report of Vehicle Accident Violations
  - 1040.109 Suspension for Two or More Convictions for Railroad Crossing Violations
  - 1040.110 Bribery
  - 1040.111 Suspension for Failure to Yield upon Entering a Construction or Maintenance Zone when Workers Are Present
  - 1040.115 Suspension for Theft of Motor Fuel
  - 1040.116 Discretionary Suspension/Revocation; Committing Perjury; Submitting False/Fraudulent Documents; Notification by Department of Administrative Hearings
  - 1040.117 Suspension for Concealment or Obstruction of Registration to Hinder Law Enforcement

AUTHORITY: Implementing Articles II and VII of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Arts. II and VII] and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 26, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10

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Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16977, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 2, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 3664, effective February 7, 1990; amended at 14 Ill. Reg. 5178, effective April 1, 1990; amended at 14 Ill. Reg. 5560, effective March 22, 1990; amended at 14 Ill. Reg. 14177, effective August 21, 1990; amended at 14 Ill. Reg. 18088, effective October 22, 1990; amended at 15 Ill. Reg. 14258, effective September 24, 1991; amended at 17 Ill. Reg. 8512, effective May 27, 1993; amended at 17 Ill. Reg. 9028, effective June 2, 1993; amended at 17 Ill. Reg. 12782, effective July 21, 1993; amended at 18 Ill. Reg. 7447, effective May 3, 1994; amended at 18 Ill. Reg. 10853, effective June 27, 1994; amended at 18 Ill. Reg. 11644, effective July 7, 1994; amended at 18 Ill. Reg. 16443, effective October 24, 1994; amended at 20 Ill. Reg. 2558, effective January 26, 1996; amended at 21 Ill. Reg. 8398, effective June 30, 1997; amended at 21 Ill. Reg. 10985, effective July 29, 1997; amended at 21 Ill. Reg. 12249, effective August 26, 1997; amended at 21 Ill. Reg. 12609, effective August 29, 1997; amended at 22 Ill. Reg. 1438, effective January 1, 1998; amended at 22 Ill. Reg. 5083, effective February 26, 1998; amended at 22 Ill. Reg. 13834, effective July 10, 1998; amended at 24 Ill. Reg. 1655, effective January 11, 2000; emergency amendment at 24 Ill. Reg. 8398, effective June 2, 2000, for a maximum of 150 days; emergency expired October 29, 2000; emergency amendment at 24 Ill. Reg. 16096, effective October 12, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 16689, effective October 30, 2000; amended at 25 Ill. Reg. 2723, effective January 31, 2001; amended at 25 Ill. Reg. 6402, effective April 26, 2001; emergency amendment at 26 Ill. Reg. 2044, effective February 1, 2002, for a maximum of 150 days; emergency expired June 30, 2002; emergency amendment at 26 Ill. Reg. 3753, effective February 21, 2002, for a maximum of 150 days; emergency expired July 20, 2002; amended at 26 Ill. Reg. 12373, effective July 25, 2002; amended at 26 Ill. Reg. 13684, effective August 28, 2002; amended at 29 Ill. Reg. 2441, effective January 25, 2005; amended at 29 Ill. Reg. 13892, effective September 1, 2005; amended at 29 Ill. Reg. 15968, effective October 7, 2005; amended at 30 Ill. Reg. 1896, effective January 26, 2006; amended at 30 Ill. Reg. 2557, effective February 10, 2006; amended at 30 Ill. Reg. 11299, effective June 12, 2006; amended at 31 Ill. Reg. 4792, effective March 12, 2007; amended at 31 Ill. Reg. 5647, effective March 20, 2007; amended at 31 Ill. Reg. 7296, effective May 3, 2007; amended at 31 Ill. Reg. 7656, effective May 21, 2007; amended at 31 Ill. Reg. 11356, effective July 19, 2007; amended at 31 Ill. Reg. 14559, effective October 9, 2007;

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amended at 31 Ill. Reg. 16880, effective January 1, 2008; amended at 33 Ill. Reg. 2603, effective January 22, 2009; amended at 33 Ill. Reg. 9801, effective June 25, 2009; amended at 33 Ill. Reg. 15073, effective October 21, 2009; amended at 34 Ill. Reg. 570, effective December 22, 2009; amended at 35 Ill. Reg. 1667, effective January 13, 2011; amended at 35 Ill. Reg. 8512, effective May 31, 2011; amended at 36 Ill. Reg. 10055, effective June 29, 2012; amended at 36 Ill. Reg. 11211, effective July 5, 2012; amended at 37 Ill. Reg. 1762, effective January 25, 2013; amended at 37 Ill. Reg. 8832, effective June 17, 2013; amended at 38 Ill. Reg. 9591, effective April 15, 2014; amended at 39 Ill. Reg. 9475, effective June 23, 2015; amended at 39 Ill. Reg. 11648, effective July 28, 2015; amended at 39 Ill. Reg. 14983, effective October 29, 2015; amended at 40 Ill. Reg. 7372, effective May 2, 2016.

**Section 1040.20 Illinois Offense Table**

- a) The conviction report furnished to the Driver Services Department by the court where a person was convicted of a traffic violation shall be entered upon the driving record by classification (Type Action) and used as a source of information. In the absence of statutory amendment, this Section shall be followed and the number of points assigned to a person's driving record shall be determined by using the point table set out in subsections (c) and (d).
  - 1) Classification for convictions of traffic offenses:
    - Type Action 68: Record history item only
    - Type Action 82: Conviction
    - Type Action 83: Immediate action (no points assigned)
    - Type Action 85: Conviction (no points assigned)
    - Type Action 87: Conviction (points assigned)
    - Type Action 89: Withdrawal (no points assigned)
    - Type Action 93: Immediate action bond forfeiture (no points assigned)
    - Type Action 94: Immediate action conviction (no points assigned)
    - Type Action 95: Bond forfeiture (no points assigned)
    - Type Action 96: Conviction (no points assigned)
    - Type Action 97: Bond forfeiture (points assigned – moving violation)
    - Type Action 99: Conviction (points assigned – moving violation)
  - 2) Description of Offense: The code used to describe the offense is composed of the IVC Chapter and/or Section number, the Municipal Code of the City of Chicago (Municipal Code of Chicago, Title 9), the Criminal Code of 2012 [720 ILCS 5], the Cannabis Control Act [720 ILCS 550],

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the Illinois Controlled Substances Act [720 ILCS 570], the Liquor Control Act of 1934 [235 ILCS 5/Art. VI], or the Illinois Identification Card Act [15 ILCS 335]. Preceding the Section number for these codes, with the exception of those listed in subsection (a)(1), will be a single digit code to identify the specific law that will be as follows:

- 0 – The Criminal Code of 2012, Cannabis Control Act, Illinois Controlled Substances Act, the Liquor Control Act of 1934, or the Illinois Identification Card Act
- 1 – Illinois Vehicle Code
- 2 – Local ordinance (all municipal ordinance convictions), or violations occurring on military installations, to be considered, are to be coded exactly as Illinois Vehicle Code Violations with the exception of the first digit that shall be a "2"
- 4 – Motor Vehicle Theft Law of the Illinois Vehicle Title and Registration Law of the IVC [625 ILCS 5/Ch. 4, Art. I]
- 6 – The Illinois Driver Licensing Law
- 7 – Municipal Code of Chicago
- 8 – Foreign state and other (all out-of-state convictions to be considered are to be coded exactly as Illinois Vehicle Code violations with the exception of the first digit, which shall be an "8")

NOTE: The position for the single digit codes 1, 2, 6 or 8, will be symbolized by a # throughout the point table set out in this Part.

- 3) Any one of the last positions of the offense code may be used to indicate the paragraph of the Section violated, or refer to the number of miles per hour (in code form) the driver was operating above the posted speed limit (refer to Electronic Data Processing Machine (EDPM) Offense Codes set out in this Part).
- 4) The Secretary of State's Traffic Violation Advisory Committee relied upon the following criteria in determining whether specific convictions for traffic violations should be utilized in determining driver license suspension or revocation under the authority of IVC Section 6-206(a)(2), as well as the number of points that should be assigned to those

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convictions, which in turn determines the length and/or type of such action.

- A) A thorough review of literature relating to the general concept of point systems utilized by other states.
- B) A specific review of point systems and ranges of point assignments utilized by other states.
- C) An exhaustive and detailed review of the current Illinois point system.
- D) Based on the above, the relative criticality of the violations was determined and the specific number of points to be assigned was proposed, discussed, and agreed upon by the consensus of the group.

b) Illinois Vehicle Code, the Criminal Code of 2012, the Liquor Control Act of 1934, the Cannabis Control Act, the Illinois Controlled Substances Act and the Illinois Identification Card Act. The following violations of the Illinois Vehicle Code, the Criminal Code of 2012, the Liquor Control Act of 1934, the Cannabis Control Act, the Illinois Controlled Substances Act and the Illinois Identification Card Act will not be assigned points but will be entered on the record as Type Action -93- bond forfeiture immediate action; or Type Action -94- conviction immediate action.

IVC VIOLATION CODE	EDPM OFFENSE CODE	ABSTRACT DESCRIPTION CODE	DESCRIPTION OF OFFENSE
*****	*****	*****	*****
3-413(j)	413010	3 413 J	Violation of modification of rear registration plate
3-707(c-1)	707301	3 707 C1	Convicted of driving without liability insurance
4-102	102000	4 102 00	Motor Vehicle Anti-Theft Law, misdemeanor [625 ILCS 5/4-100]

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4-103	103000	4 103 00	Motor Vehicle Anti-Theft Law, felony [625 ILCS 5/Ch. 4, Art. I]
4-103.1	103100	4 103 01	Motor Vehicle Anti-Theft Law, conspiracy [625 ILCS 5/Ch. 4, Art. I]
6-101	101000	# 101 00	Operating a motor vehicle without a valid license or permit (a serious traffic violation if committed in a commercial motor vehicle)
6-104(a)	104001	# 104 01	Violation of license classification for first and second division vehicles (a serious traffic violation if committed in a commercial motor vehicle)
6-104(b)	104002	# 104 02	Violation of classification for transporting persons for hire (a serious traffic violation if committed in a commercial motor vehicle)
6-104(c)	104003	# 104 03	Violation of classification for transporting property for hire (a serious traffic violation if committed in a commercial motor vehicle)
6-104(d)	104004	# 104 04	Violation of school bus driver permits (a serious traffic violation if committed in a commercial motor vehicle)
6-104(e)	104005	# 104 05	Violation of religious bus driver endorsement (a serious traffic violation if committed in a commercial motor vehicle)
6-104(f)	104006	# 104 06	Violation of classification for transportation of the elderly (a

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			serious traffic violation if committed in a commercial motor vehicle)
6-105	105000	6 105 00	Violation of instruction permit (a serious traffic violation if committed in a commercial motor vehicle)
6-107.1(a)	107110	6 107.1A	Violation of instruction permit
6-107.1(b)	107120	6 107.1B	Violation of curfew law (prior to 1-1-08)
6-107.1(b)	107102	6 107.1B	Violation of nighttime driving restrictions – under the age of 18 (effective 1-1-08)
6-110(a)	110000	6 110 00	Violation of curfew law – under age of 17 (Child Curfew Act [720 ILCS 555/1 and 2])
6-110(a-1)	110101	6 110 A-1	Violation of nighttime driving restrictions
6-113(e)	113501	# 113 E1	Violation of driver's license restriction
6-113(e)	113502	# 113 E2	Violation of restriction on special restricted license or permit
6-205(a)3	205103	# 205 A3	Any felony under the laws of any state or federal government in the commission of which a vehicle was used
6-205(a)5	205105	6 205 A5	Conviction of perjury or making of false affidavit or statement under oath to the Secretary of State under the Driver License Act or any other

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			law relating to the ownership or the operation of a motor vehicle
6-205(b)1	205201	6 205 B1	Notice provided for in Section 1-8 of the Juvenile Court Act of 1987 [705 ILCS 405/1-8] that minor has been adjudicated under that Act as having committed an offense relating to motor vehicles described in Section 4-103
6-205(b)2	205202	6 205 B2	When any other law of this State requires either the revocation or suspension of such license or permit
6-206.2(a)	206201	6 206.2 A	Operating a vehicle without interlock device when one is required
6-206.2(a-5)	206215	6 206.2 A-5	Allowing an unauthorized person to blow into an interlock device
6-206.2(c)	206203	# 206 02c	Tamper with or circumvent a BAIID
6-210(1)	210001	# 210 01	Driving during the period of suspension/revocation
6-210(2)	210002	# 210 02	Driving during the period of suspension/revocation
6-301(1)	301001	# 301 01	To display or cause to be displayed or have in his possession any cancelled, revoked, or suspended license or permit
6-301(2)	301002	# 301 02	To lend his license or permit to any other person or knowingly allow the use thereof by another

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6-301(3)	301003	# 301 03	To display or represent as his own any license or permit issued to another
6-301(4)	301004	# 301 04	To fail or refuse to surrender to the Secretary of State or his agent or any peace officer, upon his lawful demand, any license or permit that has been suspended, revoked or cancelled
6-301(5)	301005	# 301 05	To allow any unlawful use of a license or permit issued to him
6-301(6)	301006	# 301 06	To submit to an examination or to obtain the services of another person to submit to an examination for the purpose of obtaining a driver's license or permit for some other person
6-301.1(b)1	301121	# 301121	Possess fictitious altered driver's license or permit
6-301.1(b)2	301122	# 301122	Possess/display altered fictitious driver's license or permit
6-301.1(b)3	301123	# 301123	Possess fictitious altered driver's license or permit
6-301.1(b)4	301124	# 301124	Possess fictitious altered driver's license or permit
6-301.1(b)5	301125	# 301125	Possess fictitious altered driver's license or permit
6-301.1(b)6	301126	# 301126	Possess fictitious altered driver's license or permit

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6-301.1(b)7	301127	# 301127	Issue fictitious driver's license or permit
6-301.1(b)8	301128	# 301128	Alter/attempt to alter driver's license or permit
6-301.1(b)9	301129	# 301129	Provide ID for obtaining fictitious driver's license or permit
6-301.1(b)10	301120	# 301120	To knowingly use any fictitious or unlawfully altered driver's license or permit to purchase or attempt to purchase any ticket for, or to board or attempt to board any common carrier
6-301.1(b)11	011211	# 3011211	To knowingly possess any fictitious or unlawfully altered driver's license or permit if the person has, at the time, a different driver's license issued by the Illinois Secretary of State or other driver's license agency in another jurisdiction that is suspended or revoked
6-301.2(b)1	301221	# 301221	Possess fraudulent driver's license or permit
6-301.2(b)2	301222	# 301222	Possess/display fraudulent driver's license or permit
6-301.2(b)3	301223	# 301223	Possess fraudulent driver's license or permit
6-301.2(b)4	301224	# 301224	Possess fraudulent driver's license or permit
6-301.2(b)5	301225	# 301225	Possess fraudulent driver's license or permit

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6-301.2(b)6	301226	# 301226	Possess fraudulent driver's license or permit
6-301.2(b)7	301227	# 301227	Possess driver's license making implement
6-301.2(b)8	301228	# 301228	Possess stolen driver's license making implement
6-301.2(b)9	301229	# 301229	Duplicate/sell fraudulent driver's license or permit
6-301.2(b)10	301220	# 301220	Advertise or distribute fraudulent driver's license or permit
6-301.2(b)11	012211	# 3012211	To knowingly use a fraudulent driver's license or permit to purchase or attempt to purchase any ticket for a common carrier or to board or attempt to board any common carrier as used in this Section
6-301.2(b)12	012212	# 3012212	To knowingly possess any fraudulent driver's license or permit if the person has, at the time, a different driver's license issued by the Secretary of State or another official driver's license agency in another jurisdiction that is suspended or revoked
6-301.2(b-1)	301201	# 3012b-1	Possess, use, or allow to be used any material to obtain information from the bar code or magnetic strip of an official Illinois Driver's License issued by the Secretary of State

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6-302(a)1	302101	# 302101	Present false information in an application. For driver's license/permit
6-302(a)2	302102	# 302102	Accept false information/ID in an application for driver's license/permit
6-302(a)3	302103	# 302103	Make false affidavit swear or affirm falsely
6-303(a)1	303101	# 303 A1	Driving during a suspension or revocation
6-303(a)2	303102	# 303 A2	Driving during a revocation or suspension
6-303(a)3	303103	#303 A3	Second or subsequent conviction of driving during a revocation or suspension involving personal injury or death
6-303(d)	303400	# 303 D0	Second conviction of driving during revocation for a violation of Sections 11-401 and 11-501 and Section 9-3 of the Criminal Code of 2012 or similar provisions of a local ordinance
6-303(d)2	303402	# 303 D2	Third conviction of driving during a revocation or violations of Sections 11-401 and 11-501 and Section 9-3 of the Criminal Code of 2012 or similar provisions of a local ordinance
6-303(d)3	303403	# 303 D3	Fourth or subsequent conviction of driving during revocation for a violation of Sections 11-401 and 11-

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			501 and Section 9-3 of the Criminal Code of 2012 or similar provisions of a local ordinance
6-303(d)4	303404	6-303(D-4)	Tenth through fourteenth conviction of driving during revocation or suspension for a violation of Section 11-401 or 11-501 or Section 9-3 of the Criminal Code of 2012 or similar provisions of a local ordinance
6-303(d)5	303405	6-303(D-5)	Fifteenth or subsequent conviction of driving during revocation or suspension for a violation of Section 11-401 or 11-501 or Section 9-3 of the Criminal Code of 2012 or a similar provision of a local ordinance
6-507(a)2	507102	# 507 A2	Driving a commercial motor vehicle (CMV) without obtaining a commercial driver's license (CDL)
6-507(a)3	507103	# 507 A3	Driving without the proper <a href="#">class of commercial learner's permit (CLP)</a> or commercial driver's license ( <a href="#">CDL</a> ) <del>classification</del> or endorsements
6-507(b)	507200	6 507 B0	No person may drive a commercial motor vehicle while driving privilege, license or permit is suspended, revoked, cancelled, nor while subject to disqualification or while subject to or in violation of an "out-of-service" order
6-507(b)1	507201	# 507 B1	No person may drive a commercial motor vehicle while driving privileges, license, or permit is

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			suspended, revoked, cancelled or disqualified
6-507(b)2	507202	# 507 B2	No person may drive a commercial motor vehicle while driving privileges, license, or permit is subject to or in violation of an out-of-service order
6-507(b)3	507203	# 507 B3	No person may drive commercial motor vehicle while driving privileges, license, or permit is subject to or in violation of an out-of-service order and while transporting passengers or hazardous materials
6-507(b)5	507250	# 507 B5	Driving commercial motor vehicle in violation of out-of-service order
8-101	008000	8000	Failure to show proof of financial responsibility – persons who operate motor vehicles in transportation of passengers for hire
11-204	020400	# 0204 00	Fleeing or attempting to elude a peace officer
11-204.1	020401	# 0204 01	Aggravated fleeing or eluding a peace officer
11-401	040100	# 0401 00	Leaving scene or failure to report an accident involving death or personal injury
11-402(b)	040202	# 0402 02	Leaving the scene of an accident involving damage to a vehicle in excess of \$1000

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11-406(a)	040610	# 0406 A0	Failure to make report of vehicle accident
11-406(b)	040620	# 0406 B0	Failure to make report of school bus accident
11-501(a)1	050111	# 0501 A1	Driving with a blood alcohol concentration above the legal limit
11-501(a)2	050112	# 0501 A2	Driving while under the influence of alcohol
11-501(a)3	050113	# 0501 A3	Driving while under the influence of any other drug or combination of drugs (prior to 1-1-99)
11-501(a)3	050103	# 0501 A3	Driving while under the influence of any intoxicating compound or combination of intoxicating compounds (effective 1-1-99)
11-501(a)4	050114	# 0501 A4	Driving under the combined influence of alcohol and other drug or drugs (prior to 1-1-99)
11-501(a)4	050104	# 0501 A4	Driving while under the influence of any other drug or combination of drugs (effective 1-1-99)
11-501(a)5	050115	# 0501 A5	Driving while there is any amount of a drug, substance or compound in such person's blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, or a controlled substance listed in the Illinois Controlled Substances Act (prior to 1-1-99)

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11-501(a)5	050105	# 0501 A5	Driving while under the combined influence of alcohol and other drug or drugs or intoxicating compound or compounds (effective 1-1-99)
11-501(a)6	050106	# 0501 A6	Driving while there is any amount of a drug, substance or compound in the person's breath, blood or urine resulting from the unlawful use or consumption of cannabis, a controlled substance or an intoxicating compound (effective 1-1-99)
11-501(b)	501200	# 11-0501 B	Initial conviction of violating Section 11-501(b)
11-501(b-3)	050123	# 0501 B-3	Second conviction of violating Section 11-501(a) or a similar provision committed within 5 years of a previous violation of Section 11-501(a) or similar provision
11-501(b-4)	050124	# 0501 B-4	Third or subsequent violation committed within 5 years of a previous violation of Section 11-501(a) or a similar provision
11-501(c)	501300	# 11-0501 C	A violation of Section 11-501(c)
11-501(c-1)1	501311	# 0501 C11	Driving under the influence while revoked for driving while under the influence, Section 11-501, leaving the scene, Section 11-401, reckless homicide, Section 9-3 of the Criminal Code of 2012, or suspended for statutory summary suspension under Section 11-501.1

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11-501(c-1)2	501312	# 0501 C12	Third violation of driving under the influence while revoked for driving under the influence, Section 11-501, leaving the scene, Section 11-401, reckless homicide, Section 9-3 of the Criminal Code of 2012, or suspended for statutory summary suspension under Section 11-501.1
11-501(c-1)3	501313	# 0501 C13	Fourth or subsequent violation of driving under the influence while revoked for driving under the influence, Section 11-501, leaving the scene, Section 11-401, reckless homicide, Section 9-3 of the Criminal Code of 2012, or suspended for statutory summary suspension under Section 11-501.1
11-501(c-4)1	501341	# 0501 C41	Convicted of violating Section 11-501(a) for first time when blood, breath, or urine was .16 or more, or is convicted of violating Section 11-501 while transporting a child under the age of 16
11-501(c-4)2	501342	# 0501 C42	Second conviction within 10 years for violating Section 11-501(a) when blood, breath or urine was .16 or more, or is convicted of violating Section 11-501 while transporting a child under the age of 16
11-501(c-4)3	501343	# 0501 C43	Third conviction within 20 years for violating Section 11-501(a) when blood, breath or urine was .16 or more, or is convicted of violating Section 11-501 while transporting a

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			child under the age of 16. This is considered a Class 4 felony
11-501(c-4)4	501344	# 0501 C44	Fourth or subsequent conviction for violating Section 11-501(a) when blood, breath, or urine was .16 or more, or is convicted of violating Section 11-501 while transporting a child under the age of 16. This is considered a Class 2 felony
11-501(c-5)1	501351	# 0501 C5(1)	Violation of Section 11-501(a) while transporting a person under the age of 16
11-501(c-5)2	501352	# 0501 C5(2)	Second violation of Section 11-501(a) and at the time of the violation the person was transporting a person under the age of 16
11-501(c-5)3	501353	# 0501 C5(3)	Second violation of Section 11-501(a) or a similar provision within 10 years and at the time of the violation the person was transporting a person under the age of 16
11-501(c-5)4	501354	# 0501 C5(4)	Second conviction of Section 11-501(a) or a similar provision within 5 years and at the time of the violation the person was transporting a person under the age of 16
11-501(c-5)5	501355	# 0501 C5(5)	Third conviction for violating Section 11-501(a) or a similar provision and at the time of the violation the person was

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			transporting a person under the age of 16 (felony)
11-501(c-5)6	501356	# 0501 C5(6)	Third conviction of Section 11-501(a) or a similar provision within 20 years and at the time the person was transporting a person under the age of 16 (felony)
11-501(c-5)7	501357	# 0501 C5(7)	Fourth or subsequent conviction for violating Section 11-501(a) or similar provision and at the time of the fourth or subsequent violation the person was transporting a person under age 16, 3 prior violations of transporting a person under age 16 or while BAC .16 or more (felony)
11-501(c-6)1	501361	# 0501 C6(1)	Conviction of Section 11-501(a) or a similar provision and the alcohol concentration was .16 or more
11-501(c-6)2	501362	# 0501 C6(2)	Second conviction of Section 11-501(a) or a similar provision within 10 years and at the time the BAC was .16 or more
11-501(c-6)3	501363	# 0501 C6(3)	Third conviction of Section 11-501(a) or a similar provision within 20 years and at the time of the violation the person's BAC was .16 or more (felony)
11-501(c-6)4	501364	# 0501 C6(4)	Fourth or subsequent conviction for violating Section 11-501(a) or a similar provision and at the time of the fourth or subsequent violation the person's BAC was .16 or more, three prior convictions of

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			transporting a person under the age of 16 or while BAC was .16 or more (felony)
11-501(d)	501400	# 0501 D	A violation of Section 11-501(d)
11-501(d)1	050141	# 0501 D1	Such person committed a violation of Section 11-501(a) for the third or subsequent time
11-501(d)2	050142	# 0501 D2	Such person committed a violation of Section 11-501(a) while driving a school bus with children on board
11-501(d)3	050143	# 0501 D3	Such person in committing a violation of Section 11-501(a) was involved in a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when such violation was the proximate cause of such injuries
11-501(d)4	050144	# 0501 D4	Committed a violation of Section 11-501(a) for a second time and was previously convicted of violating Section 9-3 of the Criminal Code of 2012 for reckless homicide in which the person was determined to have been under the influence of alcohol or other drug as an element of the offense
11-501(d)1A	501411	# 0501D1A	Convicted of committing a violation of Section 11-501(a) for the third or subsequent time

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11-501(d)1B	501412	# 0501D1B	Such person committed a violation of Section 11-501(a) while driving a school bus with children on board
11-501(d)1C	501413	# 0501D1C	Such person, in committing a violation of Section 11-501(a), was involved in a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another when such violation was the proximate cause of such injuries
11-501(d)1D	501414	# 0501D1D	Committed a violation of Section 11-501(a) for a second time and was previously convicted of violating Section 9-3 of the Criminal Code of 2012 for reckless homicide in which the person was determined to have been under the influence of alcohol or other drug as an element of the offense or Section 11-501(d)(1)(C) or (F)
11-501(d)1E	501415	# 0501D1E	Committed a violation of Section 11-501(a) in a school zone when a 20 MPH speed limit was in effect and was involved in an accident that resulted in bodily harm
11-501(d)1F	501416	# 0501D1F	Committed a violation of Section 11-501(a) and was involved in a motor vehicle, snowmobile, all-terrain vehicle or water craft accident that resulted in the death of another person when the violation of Section 11-501(a) was a proximate cause of death

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11-501(d)1G	501417	# 0501D1G	Committed a violation of Section 11-501(a) and the driver did not possess a valid driver's license or permit
11-501(d)1H	501418	# 0501D1H	Committed a violation of Section 11-501(a) and the driver knew that the vehicle being driven was not covered by a liability insurance policy
11-502.1(a)	050211	#05021A	Illegal possession of medical cannabis within the passenger area of any motor vehicle in this State
11-502.1(b)	050212	#05021B	Illegal possession of medical cannabis by an agent in a non-sealed medical cannabis container
11-502.1(c)	050213	#05021C	Illegal possession of medical cannabis by passenger within passenger area of any motor vehicle in this State
11-503(b)1	503201	# 0503B1	Reckless driving, bodily harm to a child or school crossing guard
11-503(c)	050303	# 050303	Aggravated reckless driving
11-503(d)	050304	# 0503 04	Aggravated reckless driving, great bodily harm to a child or school crossing guard
11-504	050400	# 0504 00	Drag racing
11-506(a)	050601	#050601	Street racing

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11-907(c)	090763	# 0907 P3	Failure to yield to a stopped emergency vehicle resulting in property damage
11-907(c)	090773	# 0907 I3	Failure to yield to a stopped emergency vehicle resulting in personal injury
11-907(c)	090783	# 0907 D3	Failure to yield to a stopped emergency vehicle resulting in death
11-908(a)1	090811	1 908 A1	Failure to yield and proceed with due caution upon entering a construction zone when workers are present
11-1301 3a-1	301311	# 13013A1	Unauthorized use of handicap placard or device
11-13-01 3a-2	301312	# 13013A2	Unauthorized use of deceased person's disability placard or device
11-1301.5(b)1	301521	1 13015B1	To knowingly possess any fictitious or unlawfully altered person-with-disabilities license plate or parking decal or device
11-1301.5(b)2	301522	1 13015B2	To knowingly issue or assist in the issuance of, by the Secretary of State or unit of local government, any fictitious person-with-disabilities license plate or parking decal or device
11-1301.5(b)3	301523	1 13015B3	To knowingly alter any person-with-disabilities license plate or parking decal or device

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11-1301.5(b)4	301524	1 13015B4	To knowingly manufacture, possess, transfer, or provide any documentation used in the application process, whether real or fictitious, for the purpose of obtaining, a fictitious person-with-disabilities license plate or parking decal or device
11-1301.5(b)5	301525	1 13015B5	To knowingly provide any false information to the Secretary of State or a unit of local government in order to obtain a person-with-disabilities license plate or parking decal or device
11-1301.5(b)6	301526	1 13015B6	To knowingly transfer a person-with-disabilities license plate or parking decal or device for the purpose of exercising the privileges granted to any authorized holder of a person-with-disabilities license plate or parking decal or device under this Code in the absence of the authorized holder
11-1301.5(b)7	301527	1 13015B7	Falsify a certification that a person is disabled
11-1301.6(b)1	301621	1 13016B1	To knowingly possess any fraudulent person-with-disabilities license plate or parking decal or devise
11-1301.6(b)2	301622	1 13016B2	To knowingly possess without authority any implement to duplicate and/or manufacture any person-with-disabilities license plate or parking decal or device

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11-1301.6(b)3	301623	1 13016B3	To knowingly duplicate, manufacture, sell, or transfer any fraudulent or stolen person-with-disabilities license plate or parking decal or devise
11-1301.6(b)4	301624	1 13016B4	To knowingly assist in the duplication, manufacturing, selling, or transferring of any fraudulent or stolen person-with-disabilities license plate or parking decal or device
11-1301.6(b)5	301625	1 13016B5	To advertise or distribute a fraudulent person-with-disabilities license plate or parking decal or device
11-1414(a)	141401	# 1414 01	Passing school bus receiving or discharging children (7-1-13)
11-1425(b)	142520	# 1425b	Failure to have space to drive through railroad crossing
<a href="#">11-1431</a>	<a href="#">111431</a>	<a href="#">#1431</a>	<a href="#">Violation of solicitation of towing</a>
12-215(g)	221507	# 2215 07	Conviction of Section 12-215 without lawful authority to stop
12-604.1(a-5)	604185	2 604D5	Aggravated use of video device accident involving death
12-610.1(b-5)	610185	2 610D5	Under age 19 aggravated wireless phone accident involving death

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12-610.1(e-5)	610585	2 601D5	Aggravated use wireless phone school/construction zone accident involving death
12-610.2(b-5)	610285	2 602D5	Aggravated electronic communication device accident involving death
<b>CRIMINAL CODE OF 2012 *****</b>	<b>EDPM OFFENSE CODE *****</b>	<b>ABSTRACT DESCRIPTION CODE *****</b>	<b>DESCRIPTION OF OFFENSE *****</b>
9-3	009003	9 03	Reckless homicide resulting from operation of a motor vehicle
11-15.1	011151	11 151	Conviction of soliciting for a juvenile prostitute
11-19.1	011191	11 191	Conviction of juvenile pimping
12-5	012005	12 05	Conviction of reckless conduct
12-13	012013	12 13	Conviction of criminal sexual assault
12-14	012014	12 14	Conviction of aggravated criminal sexual assault
12-15	012015	12 15	Conviction of criminal sexual abuse
12-16	012016	12 16	Conviction of aggravated criminal sexual abuse
16J-15	161015	16J-15	Conviction for violation of theft of motor fuel
16K-15	161115	16K-15	Conviction for violation of theft of motor fuel

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<u>16-25(A)(1)</u>	<u>162511</u>	<u>16-25A1</u>	<u>Theft of motor fuel</u>
18-3	0018003	18 3	Conviction of vehicular hijacking
18-4	0018004	18 4	Conviction of aggravated vehicular hijacking
21-2	021002	21 02	Criminal trespass to motor vehicles
22-51	022051	22 51	Violation of the Hypodermic Syringes and Needles Act [720 ILCS 635/2] concerning the sale of instruments used for illegal drug use or abuse
24-1(a)3	241103	241 A3	Conviction of unlawful use of weapons while using a motor vehicle
24-1(a)4	241104	241 A4	Conviction of unlawful use of weapons while using a motor vehicle
24-1(a)7	241107	241 A7	Conviction of unlawful use of weapons while using a motor vehicle
24-1(a)9	241109	241 A9	Conviction of unlawful use of weapons while using a motor vehicle
24-1.2	241200	241 200	Conviction of aggravated discharge of a firearm
24-1.5(b)	241520	24 15B	Conviction of reckless discharge of a firearm

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THE LIQUOR CONTROL ACT OF 1934 *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
43-131(a)	431311	43 131A	Minor presents false ID to buy alcoholic beverage
6-20	006020	6-20	Violation of Section 6-20
6-20(a)	060201	6-20A	Violation of Section 6-20(a) of the Liquor Control Act
6-20(c)	060203	6-20C	Violation of Section 6-20(c) of the Liquor Control Act
6-20(d)	060204	6-20D	Violation of Section 6-20(d) of the Liquor Control Act
6-20(e)	060205	6-20E	Violation of Section 6-20(e) of the Liquor Control Act
CANNABIS CONTROL ACT *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
704(a)	070401	704 01	Conviction for violation of Section 4(a) concerning the possession of not more than 2.5 grams of any substance containing cannabis
704(b)	070402	704 02	Conviction for violation of Section 4(b) concerning the possession of more than 2.5 grams but more than 10 grams of any substance containing cannabis
704(c)	070403	704 03	Conviction for violation of Section 4(c) concerning the possession of

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			more than 10 grams but not more than 30 grams of any substance containing cannabis
704(d)	070404	704 04	Conviction for violation of Section 4(d) concerning the possession of more than 30 grams but not more than 500 grams of any substance containing cannabis
704(e)	070405	704 05	Conviction for violation of Section 4(e) concerning the possession of more than 500 grams of any substance containing cannabis
705	00705	705 00	Violation of the Cannabis Control Act concerning the unauthorized manufacture or delivery of cannabis
707	00707	707 00	Violation of the Cannabis Control Act concerning the unauthorized delivery of cannabis to a person under 18 by an adult

ILLINOIS  
 CONTROLLED  
 SUBSTANCES  
 ACT

EDPM  
 OFFENSE  
 CODE

ABSTRACT  
 DESCRIPTION  
 CODE

DESCRIPTION OF OFFENSE

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1401(a)	140101	1401 01	Class X violation of the Illinois Controlled Substances Act concerning the unauthorized manufacture or delivery of a controlled substance
1401(b)	140102	1401 02	Class 1 violation of the Illinois Controlled Substances Act concerning the unauthorized

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			manufacture or delivery of a controlled substance
1401(c)	140103	1401 03	Class 2 violation of the Illinois Controlled Substances Act concerning the unauthorized manufacture or delivery of a controlled substance
1401(d)	140104	1401 04	Class 3 violation of the Illinois Controlled Substances Act concerning the unauthorized manufacture or delivery of a controlled substance
1401(e)	140105	1401 05	Class 3 violation of the Illinois Controlled Substances Act concerning the unauthorized manufacture or delivery of a controlled substance
1401(f)	140106	1401 06	Class 3 violation of the Illinois Controlled Substances Act concerning the unauthorized manufacture or delivery of a controlled substance
1401(g)	140107	1401 07	Class 3 violation of the Illinois Controlled Substances Act concerning the unauthorized manufacture or delivery of a controlled substance
1402(a)1	014201	1402 01	Conviction for violation of Section 402(a) concerning the possession of 15 grams or more of any substance containing heroin

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1402(a)2	014202	1402 02	Conviction for violation of Section 402(a) concerning the possession of 15 grams or more of any substance containing cocaine
1402(a)3	014203	1402 03	Conviction for violation of Section 402(a) concerning the possession of 15 grams or more of any substance containing morphine
1402(a)4	014204	1402 04	Conviction for violation of Section 402(a) concerning the possession of 200 grams or more of any substance containing peyote
1402(a)5	014205	1402 05	Conviction for violation of Section 402(a) concerning the possession of 200 grams or more of any substance containing a derivative of barbituric acid or any of the salts of a derivative of barbituric acid
1402(a)6	014206	1402 06	Conviction for violation of Section 402(a) concerning the possession of 200 grams or more of any substance containing amphetamine or any salt of an optical isomer of amphetamine or methamphetamine
1402(a)7	014207	1402 07	Conviction for violation of Section 402(a) concerning the possession of 15 grams or more, but less than 100 grams of any substance containing lysergic acid diethylamide (LSD)
1402(a)8	014208	1402 08	Conviction for violation of Section 402(a) concerning the possession of 30 grams or more of any substance containing pentazocine or any of

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			the salts, isomers and salts of isomers of pentazocine
1402(a)9	014209	1402 09	Conviction for violation of Section 402(a) concerning the possession of 30 grams or more of any substance containing methaqualone or any of the salts, isomers and salts of isomers of methaqualone
1402(a)10	014210	1402 10	Conviction for violation of Section 402(a) concerning the possession of 30 grams or more of any substance containing phencyclidine or any of the salts, isomers and salts of isomers of phencyclidine (PCP)
1402(a)11	014211	1402 11	Conviction for violation of Section 402(a) concerning the possession of 200 grams or more of any other controlled or counterfeit substance classified as a narcotic drug in Schedule I or II that is not otherwise included in this subsection
1402(b)	014220	1402 20	Conviction for violation of Section 402(b) concerning the possession of any other amount of a controlled or counterfeit substance
1407	014070	1407 00	Adult delivers controlled or counterfeit substances to minor
1407.1	014701	1407 01	Adult uses minor to deliver controlled/counterfeit substances
2103	021003	21 03	Violation of the Drug Paraphernalia Control Act [720 ILCS 600]

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concerning the sale of instruments used for illegal drug use or abuse

ILLINOIS IDENTIFICATION CARD ACT *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
335-14a1	014101	14A1	To possess, display, or cause to be displayed any cancelled or revoked identification card
335-14a2	014102	14A2	To display or represent as the person's own any identification card issued to another
335-14a3	014103	14A3	To allow any unlawful use of an identification card issued to another person
335-14a4	014104	14A4	To lend an identification card to another or knowingly allow the use thereof
335-14a5	014105	14A5	To fail or refuse to surrender to the Secretary of State, the Secretary's agent, or any peace officer upon lawful demand, any identification card that has been revoked or cancelled
335-14a6	014106	14A6	To knowingly possess, use or allow to be used any materials, hardware or software specifically designed for or primarily used in the manufacture, assembly, issuance or authentication of an official Illinois identification card or Illinois disabled person identification card by the Secretary of State

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335-14a7	014107	14A7	To knowingly possess, use or allow to be used a stolen identification card making implement
335-14(A-1)	014011	14-A-1	Possess or use materials to obtain information from an identification card
335-14ab1	014121	14AB1	To knowingly possess, display, or cause to be displayed any fictitious or unlawfully altered identification card
335-14ab2	014122	14AB2	To knowingly possess, display, or cause to be displayed any fictitious or unlawfully altered identification card for the purpose of obtaining any account, credit, credit card, or debit card from a bank, financial institution, or retail mercantile establishment
335-14ab3	014123	14AB3	To knowingly possess any fictitious or unlawfully altered identification card with the intent to commit a theft, deception or credit or debit card fraud in violation of any law of this state or any law of any other jurisdiction
335-14ab4	014124	14AB4	To knowingly possess any fictitious or unlawfully altered identification card with the intent to commit any other violation of any law of this State or any law of any other jurisdiction for which a sentence to a term of imprisonment in a

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			penitentiary for one year or more is provided
335-14ab5	014125	14AB5	To knowingly possess any fictitious or unlawfully altered identification card while in unauthorized possession of any document, instrument or device capable of defrauding another
335-14ab6	014126	14AB6	To knowingly possess any fictitious or unlawfully altered identification card with the intent to use the identification card to acquire any other identification document
335-14ab7	014127	14AB7	To knowingly issue or assist in the issuance of any fictitious identification card
335-14ab8	014128	14AB8	To knowingly alter or attempt to alter any identification card
335-14ab9	014129	14AB9	To knowingly manufacture, possess transfer, or provide any identification document for the purpose of obtaining a fictitious identification card
335-14ab10	0141210	14AB10	To make application for the purpose of obtaining a fictitious identification card for another person
335-14ab11	0141211	14AB11	To obtain the services of another person to make application for the purpose of obtaining a fictitious identification card

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335-14bb1	014221	14BB2	To knowingly possess, display or cause to be displayed any fraudulent identification card
335-14bb2	014222	14BB1	To knowingly possess, display or cause to be displayed any fraudulent identification card for the purpose of obtaining any account, credit, credit card or debit card from a bank, financial institution or retail mercantile establishment
335-14bb3	014223	14BB3	To knowingly possess any fraudulent identification card with the intent to commit a theft, deception or credit or debit card fraud in violation of any law of this State or any law of any other jurisdiction
335-14bb4	014224	14BB4	To knowingly possess any fraudulent identification card with the intent to commit any other violation of any law of this State or any law of any other jurisdiction for which a sentence to a term of imprisonment in a penitentiary for one year or more is provided
335-14bb5	014225	14BB5	To knowingly possess any fraudulent identification card while in unauthorized possession of any document, instrument or device capable of defrauding another
335-14bb6	014226	14BB6	To knowingly possess any fraudulent identification card with the intent to use the identification

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			card to acquire any other identification document
335-14bb7	014227	14BB7	To knowingly possess without authority any identification card making implement
335-14bb8	014228	14BB8	To knowingly possess any stolen implement for duplicating or manufacturing an identification card
335-14bb9	014229	14BB9	To knowingly duplicate, manufacture, sell or transfer any fraudulent identification card
335-14bb10	0142210	14BB10	To advertise or distribute any information or materials that promote the selling, giving, or furnishing of a fraudulent identification card
335-14cal	014311	14CA1	Present false information in application for identification card
335-14ca2	014312	14CA2	Accept false information in application for identification card
335-14ca3	014313	14CA3	Make false affidavit, swear or affirm falsely

## c) Illinois Vehicle Code

The following point assigned violations will be entered on the driving record as  
Type Action -97- Bond forfeiture or Type Action -99- conviction

IVC VIOLATION CODE	EDPM OFFENSE CODE	ABSTRACT DESCRIPTION CODE	DESCRIPTION OF OFFENSE	POINTS
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*****	*****	*****	*****	*****
3-413(g)	413007	3 413 G	Operating a motor vehicle equipped with registration plate covers	10
6-107(e)	107005	6 107 05	Violation of Graduated Driver's License (GDL) restrictions on passengers	10
6-107(f)	107006	6 107 06	Violation of GDL restrictions on passenger seat belt/child restraints	10
6-107(g)	107007	6 107 07	Violation of GDL restrictions on number of passengers	10
6-501	501000	6 501 00	Violation of more than one driver's license	50
6-507(a)(1)	507101	6 507 A1	Driving without a commercial driver's license (CDL) in possession (a serious traffic violation if committed in a commercial motor vehicle)	50
6-526(a)	526100	6 526 A	Texting while driving a commercial motor vehicle (a serious violation)	20
6-527(a)	527100	6 527 A	Using a hand held mobile telephone while driving a commercial motor vehicle (a serious violation)	20
11-203	020300	# 0203 00	Failure to obey lawful order of authorized officer	10

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11-305	030500	# 0305 00	Disregarding official traffic control device	20
11-306	030600	# 0306 00	Disregarding traffic control light	20
11-308	030800	# 0308 00	Disregarding lane control signal	20
11-309	030900	# 0309 00	Disregarding flashing traffic signal	20
11-402(a)	040201	# 0402 01	Collision involving damage to vehicles only – failure to stop, exchange information and make report	25
11-403	040300	# 0403 00	Failure to stop and exchange information after motor vehicle collision property damage only	25
11-403	040370	# 0403 G0	Failure to stop and exchange information or give aid after motor vehicle collision – personal injury involved	50
11-403	040380	# 0403 H0	Failure to stop and exchange information or give aid after motor vehicle collision – fatality	50
11-404	040400	# 0404 00	Failure to notify owner after collision with unattended vehicle or other property	15
11-502(a)	050201	# 0502 01	Illegal transportation, of any alcoholic liquor within the passenger area of any motor vehicle	25

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11-503	050300	# 0503 00	Reckless driving (a serious traffic violation if committed in a commercial motor vehicle)	55
11-505	050500	# 0505 00	Squealing or screeching tires	10
11-507	050700	# 0507 00	Supervising minor driver while under the influence	20
11-601(a)	060100	# 0601 00	Speeding too fast for conditions or failure to reduce speed to avoid an accident	10
11-601(b)	060101	# 0601 01	1-10 MPH above limit	5
11-601(b)	060103	# 0601 03	11-14 MPH above limit	15
11-601(b)	060105	# 0601 05	15-25 MPH above limit (a serious traffic violation if committed in a commercial motor vehicle)	20
11-601(b)	060107	# 0601 07	Over 25 MPH above limit (a serious traffic violation if committed in a commercial motor vehicle)	50
11-601(b)	060108	# 0601 08	26-29 MPH above limit (a serious violation if committed in a commercial motor vehicle) (arrests occurring prior to 1/27/11)	50
11-601(b)	601008	# 6010 08	26-30 MPH above limit (a serious violation if committed in a commercial motor vehicle) (arrests occurring on or after 1/27/11 and prior to 1/1/14)	50

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11-601(b)	060109	# 0601 09	Over 29 MPH above limit (a serious violation if committed in a commercial motor vehicle) (arrests occurring prior to 1/27/11)	50
11-601(b)	601009	#6010 09	Over 30 MPH above limit (a serious violation if committed in a commercial motor vehicle) (arrests occurring on or after 1/27/11 and prior to 1/1/14)	50
11-601.5	060109	# 0601 09	Driving 40 MPH or more in excess of the applicable speed limit (a serious violation if committed in a commercial motor vehicle) (arrests occurring prior to 1/27/11)	50
11-601.5(a)	060151	# 06015A	30-39 MPH above limit (a serious violation if committed in a commercial motor vehicle) (arrests occurring prior to 1/1/14)	50
11-601.5(a)	601051	#60105A	31-39 MPH above limit (a serious violation if committed in a commercial motor vehicle) (arrests occurring prior to 1/1/14)	50
11-601.5(a)	601510	#0601 510	26-34 MPH above limit (a serious violation in a commercial motor vehicle) (arrests occurring on or after 1/1/14)	50
11-601.5(b)	601520	#0601 520	35 MPH or more above limit (a serious violation in a	50

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			commercial motor vehicle) (arrests occurring on or after 1/1/14)	
11-601.5(b)	060152	# 06015B	40 or more MPH above limit (a serious violation if committed in a commercial motor vehicle) (arrests occurring on or after 12/31/10 and prior to 1/1/14)	50
11-605	060500	# 0605 00	Exceeding the maximum speed limit in a school zone (a serious traffic violation if committed in a commercial motor vehicle)	20
11-605(a)	060501	# 0605 01	Exceeding the maximum speed limit in a school zone (a serious violation in a commercial motor vehicle)	20
11-605(b)	060502	# 060502	Exceeding the maximum speed limit through a highway construction or maintenance zone (a serious traffic violation if committed in a commercial motor vehicle)	20
<u>11-605(e-5)1</u>	<u>605551</u>	<u>#605 5 51</u>	<u>Aggravated speeding in a school zone</u>	<u>55</u>
<u>11-605(e-5)2</u>	<u>605552</u>	<u>#605 5 52</u>	<u>Aggravated speeding in a school zone</u>	<u>55</u>
11-605.1	060510	# 0605 1	Exceeding the maximum speed limit in a construction zone when workers are present (a serious traffic violation if committed in a commercial motor vehicle)	20

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11-605.1(a-5)	605115	# 605 1 15	Exceeding the maximum speed limit in a construction zone when workers are not present (a serious traffic violation if committed in a commercial motor vehicle)	10
<a href="#">11-605.1(d-5)2</a>	<a href="#">051452</a>	<a href="#">#05 4 52</a>	<a href="#">Aggravated speeding in a construction zone</a>	<a href="#">55</a>
11-605.3b	060532	# 0605 3b	Exceeding the maximum speed limit on a park zone street	20
11-605.3c	060533	# 0605 3c	Failure to obey stop sign or red light on a park zone street	20
11-606(a)	060601	# 0606 01	Driving below minimum speed limit	5
11-606(b)	060602	# 0606 02	Driving below minimum speed limit on Illinois Tollway	20
11-608	060800	# 0608 00	Exceeding maximum speed limit on bridge or elevated structure	10
11-701	070100	# 0701 00	Failure to drive on right side of roadway	20
11-702	070200	# 0702 00	Improper passing upon meeting an approaching vehicle	20
11-703(a)	070301	# 0703 01	Improper passing on left	20
11-703(b)	070302	# 0703 02	Failure to yield right-of-way to vehicle passing on the left	20

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11-703(c)	070303	# 0703 03	Improper passing with a two wheeled vehicle	20
11-703(d)	070304	# 0703 04	Improper passing of bicycle or pedestrian	20
11-703(e)	070305	# 0703 05	Driving too close to, toward, or near a bicyclist, pedestrian or person riding a horse or driving an animal drawn vehicle	20
11-704	070400	# 0704 00	Improper passing on the right	20
11-705	070500	# 0705 00	Improper passing on the left	20
11-706	070600	# 0706 00	Driving on left side of roadway where prohibited	20
11-707(b)	070702	# 0707 02	Driving on left side of roadway in a no passing zone	20
11-707(d)	070704	# 0707 04	No passing in unincorporated area where there exists a school speed zone as defined in Section 11-605	10
11-708	070800	# 0708 00	Driving wrong way on one-way street or highway or around traffic island	5
11-709(a)	070901	# 0709 01	Improper traffic lane usage (a serious traffic violation if committed in a commercial motor vehicle)	20
11-709(b)	070902	# 0709 02	Improper center lane usage (a serious traffic violation if committed in a commercial motor vehicle)	20

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11-709(c)	070903	# 0709 03	Improper traffic lane usage (a serious traffic violation if committed in a commercial motor vehicle)	20
11-709(d)	070904	# 0709 04	Improper traffic lane usage (a serious traffic violation if committed in a commercial motor vehicle)	20
11-709.1	070911	# 0709 11	Passing on shoulder while merging into traffic	20
11-710	071000	# 0710 00	Following too closely (a serious traffic violation if committed in a commercial motor vehicle)	25
11-711(a)	071101	# 0711 01	Improper entry or exit from controlled access roadway	10
11-711(b)	071102	# 0711 02	Operating an improper vehicle on a controlled access roadway	10
11-801	080100	# 0801 00	Improper turn at intersection	10
11-802	080200	# 0802 00	Improper U-turn	20
11-803	080300	# 0803 00	Unsafe movement of vehicle from parked position	15
11-804	080400	# 0804 00	Failure to give stop or turn signal	15
11-805	080500	# 0805 00	Improper stop or turn signal	15
11-806	080600	# 0806 00	Improper arm signal	15

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11-901	090100	# 0901 00	Failure to yield right-of-way at intersection	15
11-901.1	090101	# 901 01	Failure to yield right-of-way at T intersection	15
11-902	090200	# 0902 00	Improper left turn with oncoming traffic	25
11-903	090300	# 0903 00	Failure to stop or yield right-of-way to pedestrians at intersections or crosswalks with traffic control devices	20
11-904	090400	# 0904 00	Failure to obey stop or yield right-of-way sign	20
11-905	090500	# 0905 00	Improper merging into traffic	20
11-906	090600	# 0906 00	Failure to yield right-of-way upon emerging from private road or roadway	20
11-907	090700	# 0907 00	Failure to yield right-of-way to emergency vehicle	15
11-907(c)	090703	# 0907 03	Failure to yield the right-of-way or drive with due caution upon approaching a stationary emergency vehicle	15
11-908(a)	090801	# 0908 01	Failure to yield right-of-way to authorized vehicle or pedestrian engaged in work within any highway construction or maintenance area	15
11-908(b)	090802	# 0908 02	Failure to yield right-of-way to authorized vehicle displaying	15

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			flashing lights engaged in work upon a highway	
11-908(c)	090803	# 0908 03	Failure to stop at highway construction sign	15
11-1002(a)	100201	# 1002 01	Failure to stop and/or yield right-of-way to pedestrians at crosswalks without traffic control devices	20
11-1002(d)	100204	# 1002 04	Passing vehicle stopped for pedestrian	20
11-1002(e)	100205	# 1002 05	Failure to yield right-of-way to pedestrian at an intersection	20
11-1002.5	100250	# 1002 50	Failure to stop and/or yield to a pedestrian at crosswalk in school zone	20
11-1003.1	100301	# 1003 01	Failure to exercise due care for pedestrian or bicyclist	10
11-1004	100400	# 1004 00	Failure to yield right-of-way to a blind or hearing impaired pedestrian	20
11-1008	100800	# 1008 00	Failure to yield to a pedestrian on a sidewalk	20
11-1101	110100	# 1101 00	Improper passing of street car on the left	10
11-1102	110200	# 1102 00	Improper passing on the right or failure to stop for a street car	20
11-1103	110300	# 1103 00	Obstructing street car traffic	5

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11-1104	110400	# 1104 00	Driving through safety zone	20
11-1201	120100	# 1201 00	Failure to stop for approaching railroad train, railroad track equipment or signal	20
11-1201(a)	120110	# 1201 A	For drivers who are not always required to stop, failing to stop before reaching the railroad crossing, if tracks are not clear (serious traffic violation if committed in a commercial motor vehicle)	20
11-1201(a)2	120112	# 1201 A2	Failing to obey a traffic control device or the directions of an enforcement official at the railroad crossing	20
11-1201(a-5)	120115	# 1201 A5	For drivers who are not always required to stop, failing to slow down and check that the tracks are clear of approaching train or railroad track equipment (serious traffic violation if committed in a commercial motor vehicle)	20
11-1201(d-1)	120141	# 1201 D1	For all drivers, failing to negotiate a railroad-highway grade crossing because of insufficient undercarriage clearance (serious traffic violation if committed in a commercial motor vehicle)	20
11-1202	120200	# 1202 00	Failure to stop at railroad grade crossing	20

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11-1202	120020	# 1202	Failure to stop before driving onto crossing	20
11-1203	120300	# 1203 00	Improper movement of heavy equipment across railroad grade crossing	5
11-1204	120400	# 1204 00	Disregarding stop or yield sign at an intersection	20
11-1205	120500	# 1205 00	Failure to yield right-of-way upon emerging from alley or driveway	20
11-1402(a)	140201	# 1402 01	Limitations on backing	10
11-1402(b)	140202	# 1402 02	Limitations on backing upon controlled access highway	20
11-1403	140300	# 1403 00	Motorcycle operating violation or passenger equipment violation	5
11-1403.1	140301	# 1403 01	Motorized pedalcycle operating violation	5
11-1403.2	140302	# 1403 02	Operation of motorcycle on one wheel – reckless driving	55
11-1404	140400	# 1404 00	Motorcycle glasses, goggles or shield violation	5
11-1405	140500	# 1405 00	Motorcycle equipment violation	5
11-1412.1	141201	# 1412 01	Driving upon sidewalk	20
11-1414(a)	141401	# 1414 01	Passing school bus receiving or discharging children (Discontinued 6/30/13)	25

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11-1418	141800	# 1418 00	Illegal operation of farm tractor upon highway	10
11-1426.2g	142627	# 14262g	Operating a low speed vehicle without a valid license	15
11-1505	150500	# 1505 00	Improper position of motorized pedalcycles on roadway	10
11-1505.1	150501	# 1505 01	Riding motorized pedalcycle more than two abreast on roadways	10
11-1507.1	150701	# 1507 01	Violation of lamps on motorized pedalcycles	10
11-1510(b)	151020	# 1510 B0	Improper left turn on pedalcycle	10
12-201(b)	220102	# 2201 02	Head, tail or side light violation	10
12-208(a)	220801	# 2208 01	No stop lights	5
12-208(b)	220802	# 2208 02	No turn signal lights	5
12-208(c)	220803	# 2208 03	No turn signal lights on trailers or semi-trailers	5
12-301	230100	# 2301 00	Defective brakes	20
12-604.1(a)	260401	# 2604 1A	Abuse of use of a video device	15
12-604.1(a-5)	604175	# 2604 1A5	Aggravated use of video device accident involving personal injury	30
12-610.1b	261012	# 2610 1B	Driver under age 18 using a wireless phone	10

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12-610.1b	261010	# 2610 1b	Driving under age 19 using a wireless phone	
12-610.1(b-5)	610175	# 2610 1B5	Under age 19 aggravated wireless phone accident involving personal injury	30
12-610.1e	261015	# 2610 1e	Using a wireless phone in a school or construction zone or within 500 feet of an emergency scene (a serious violation if committed in a commercial motor vehicle)	15
12-610.1(e-5)	610575	# 2610 1E5	Aggravated use wireless phone school/construction zone accident involving personal injury	30
12-610.2b	261022	# 2610 2b	Using an electronic communications device (a serious violation if committed in a commercial motor vehicle) (Second or subsequent violation)	20
12-610.2(b-5)	610275	#2620 2b5	Aggravated electronic communication device accident involving personal injury	30
12-610.5b	261052	# 2610 5b	Unlawful use of registration plate covers	5
12-804	280400	# 2804 00	School bus identification and warning light violation	5
15-106	510600	# 5106 00	Failure to fasten or secure any protruding component of a vehicle	15

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15-109	510900	# 5109 00	Spilling or unsafe load	15
15-110	511000	# 5110 00	Improper towing of a vehicle	10
15-114	511400	# 5114 00	Improper pushing of another vehicle	10

d) City of Chicago Traffic Regulations – Title 9 of the Municipal Code of Chicago  
 The following point assigned violations will be entered on the driving record as Type Action -97- bond forfeiture or Type Action -99- conviction

CHICAGO TRAFFIC CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****	POINTS *****
9-40-140	940140	9 40 140	Negligent driving	10

e) Illinois Vehicle Code  
 The following violations will be entered on the driving record as Type Action -95- bond forfeiture or Type Action -96- conviction with no point value:

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
11-407(a)	040710	# 0407 A0	Failure of driver to give notice of accident
11-407(b)	040720	# 0407 B0	Failure of passenger to give notice of accident
11-506(b)	050602	# 0506 B	Vehicle owner permitting street racing
11-1412	141200	# 1412 00	Crossing fire hose
11-1420	142000	# 1420 00	Funeral procession violation
12-201(c)	220103	# 2201 03	Registration light violation

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12-203	220300	# 2203 00	Lamps on parked vehicle
12-207	220700	# 2207 00	Spot light or auxiliary light violation
12-209	220900	# 2209 00	Other light violation
12-211(a)	221101	# 2211 01	Headlight violation
12-211(b)	221102	# 2211 02	Front light violation
12-212	221200	# 2212 00	Front red or flashing light violation
12-214	221400	# 2214 00	Special lighting equipment on rural mail delivery vehicle
<a href="#">12-218(b)</a>	<a href="#">221802</a>	<a href="#">#2218 00</a>	<a href="#">Motorcycle auxiliary light violation</a>
12-603.1	260301	# 2603 01	Violation of the seat belt act
12-604.1	260401	# 260401	Driving while using prohibited video devices
12-610.2(b)	261002	# 2610 <del>2B02</del>	Using an electronic communication device (a serious violation if committed in a commercial motor vehicle) (First violation)
12-613(a)	261301	# 2613 A	Violation of possession and use of radar or laser jamming devices
12-714(a)	271401	# 2714 01	Violation of possession and use of a radar detecting device in a commercial motor vehicle
12-715(a)	271501	# 2715 01	Violation of possession and use of a radar jamming device in a commercial motor vehicle
1104	001104	# 01104 00	Violation of the Child Passenger Protection Act [625 ILCS 25] – child under age 4

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1104(a)	101104	# 01104 10	Violation of the Child Passenger Protection Act [625 ILCS 25] – child age 4 but under age 6
25/4	250400	25 04	Violation of the Child Passenger Protection Act [625 ILCS 25] – child under age 4
25/4a	250401	25 04A	Violation of the Child Passenger Protection Act [625 ILCS 25] – child age 4 but under age 16
25/4b	250402	25 04B	Unrestrained – age 8 but under age 19 [625 ILCS 25]

## f) Case Review

- 1) After each case is entered to the appropriate driving record, suspension, revocation, disqualification or cancellation action is determined by review of the driving record by a trained Driver Services Technician or action is taken for suspension, revocation, or disqualification by automated computer programs using criteria set forth in this Part.
- 2) Driver control action shall be entered upon the driver's record by classification (Type Action).

## A) Classification for driver control actions:

Type Action 01	Mandatory Revocation
Type Action 02	Discretionary Revocation
Type Action 03	Discretionary Suspension
Type Action 04	Safety Responsibility Suspension
Type Action 05	Financial Responsibility Suspension
Type Action 06	Unsatisfied Judgment Suspension
Type Action 07	Mandatory Suspension
Type Action 08	Cancellation of License
Type Action 09	Mandatory Suspension
Type Action 17	Statutory Summary Suspension

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Type Action 45	Cancellation/Suspension/Denial of School Bus Permit
Type Action DN	Denial of License and/or Privileges
Type Action DQ	Discretionary/Mandatory Disqualification
Type Action FR	Family Financial Responsibility Suspension
Type Action IV	Invalidation of License
Type Action MC	Mandatory Conviction Suspension
Type Action OS	Out of Service Law Enforcement History Item
Type Action ZT	Zero Tolerance Suspension

B) Description of driver control action:  
 The code used to describe the action is composed of the Chapter and/or Section number of the Illinois Vehicle Code that provides the Secretary of State with the authority to take such action.

g) Mandatory Revocation – Type Action 01

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
6-205(a)1	205101	6 205 A1	Reckless homicide
6-205(a)2	205102	6 205 A2	Driving while under the influence of alcohol, other drug, or combination thereof
6-205(a)3	205103	6 205 A3	Felony involving the use of a motor vehicle
6-205(a)4	205104	6 205 A4	Leaving the scene of a traffic accident involving death of personal injury – violation of Section 11-401
6-205(a)5	205105	6 205 A5	Perjury under oath relating to ownership or operation of a motor vehicle

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6-205(a)6	205106	6 205 A6	Three convictions of reckless driving committed within a 12-month period
6-205(a)7	205107	6 205 A7	Conviction of motor vehicle theft as defined in Section 4-102
6-205(a)8	205108	6 205 A8	Conviction of drag racing under Section 11-504
6-205(a)9	205109	6 205 A9	Violation of financial responsibility in operation of a motor vehicle for the purpose of hire (Chapter 8) or for rent (Chapter 9)
6-205(a)10	205110	6 205 A10	Reckless conduct, Section 12-5 of the Criminal Code of 2012
6-205(a)11	205111	6 205 A11	Conviction of aggravated fleeing or eluding a peace officer
6-205(a)12	205112	6 205 A12	Violation of Section 6-507(b) or a similar law of another state relating to the unlawful operation of a commercial motor vehicle
6-205(a)13	205113	6 205 A13	A second or subsequent violation of Section 11-502(a) or a similar provision of a local ordinance and the driver was less than 21 years of age at the time of the offense.
6-205(a)14	205114	6 205 A14	Conviction of Section 11-506(a) or a similar provision of a local ordinance relating to street racing
6-205(a)15	205115	6 205 A15	A second or subsequent conviction of driving while the person's driver's license, permit or privilege was revoked for reckless homicide or a similar out-of-state offense

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6-205(a)16	205116	6 205 A16	Conviction of any offense regulating the movement of traffic that was the proximate cause of death of any person
6-205(a)17	205117	6 205 A17	Unauthorized use of deceased person's disability placard or device
6-205(a)18	205118	6 205 A18	Second or subsequent conviction of illegal possession of a controlled substance or cannabis
6-205(b)1	205201	6 205 B1	Notice provided for in Section 1-8 of the Juvenile Court Act of 1987, that minor has been adjudicated under that Act as having committed an offense relating to motor vehicles prescribed in IVC Section 4-103
6-205(b)2	205202	6 205 B2	When any other law of this State requires either the revocation or suspension of such license or permit
6-205(b)3	205203	6 205 B3	Committing a gang-related offense involving a motor vehicle or driver's license
6-205(c)	205300	6 205 C0	Revocation of a restricted driving permit
11-501.1	050101	1 0501 01	Statutory Summary Revocation

## h) Discretionary Revocations and Suspensions – Type Action 02 or 03

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
6-113(d)	113400	6 113 D0	Violation of a restriction on a license or permit
6-206(a)1	206101	6 206 A1	Has committed an offense requiring revocation upon conviction

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6-206(a)2	206102	6 206 A2	Three or more convictions of moving traffic violations committed within a 12-month period
6-206(a)3	206103	6 206 A3	Habitually been in violation of vehicle laws
6-206(a)4	206104	6 206 A4	Accident resulting in death or injury
6-206(a)5	206105	6-206 A5	Permitted unlawful or fraudulent use of license, ID card or permit
6-206(a)6	206106	6 206 A6	Conviction of an offense in another state requiring a suspension or revocation in this State including authorization contained in Section 6-203.1
6-206(a)7	206107	6 206 A7	Refused or failed to submit to an examination
6-206(a)8	206108	6 206 A8	Ineligible for license or permit under Section 6-103.
6-206(a)9	206109	6 206 A9	False statement or knowingly concealed a material fact in application for license, ID card or permit
6-206(a)10	206110	6 206 A10	Has displayed or attempted to fraudulently use any driver's license, ID card or permit not issued to such person
6-206(a)11	206111	6 206 A11	Driving while license or permit has been revoked
6-206(a)12	206112	6-206 A12	Obtained the services of another person to take an examination for the purpose of obtaining a license, ID card or permit for some other person

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6-206(a)13	206113	6 206 A13	Violation of Curfew Act (prior to 1-1-08)
6-206(a)13	206113	6 206 A13	Violation of nighttime driving restrictions (effective 1-1-08)
6-206(a)14	206114	6 206 A14	Unlawful use of license or permit under IVC Section 6-301 or Section 14, 14A or 14B of the Illinois Identification Card Act [15 ILCS 335]
6-206(a)15	206115	6 206 A15	Conviction of criminal trespass to vehicles as defined in Section 21-2 of the Criminal Code of 2012
6-206(a)16	206116	6 206 A16	Violation of Section 11-204, fleeing from a peace officer
6-206(a)17	206117	6 206 A17	Has refused to submit to a test as required under Section 11-501.1, and such person has not sought a hearing as provided for in Section 11-501.1
6-206(a)18	206118	6 206 A18	Has been adjudged to be afflicted with or suffering from any mental disability or disease
6-206(a)19	206119	6 206 A19	Has violated Section 6-101 – driving without a valid license
6-206(a)20	206120	6 206 A20	Has violated Section 6-104 – driving without a proper classification on a driver's license
6-206(a)21	206121	6 206 A21	Has violated Section 11-402 relating to leaving the scene of an accident resulting in damage to a vehicle in excess of \$1000
6-206(a)22	206122	6 206 A22	Has used a motor vehicle in violation of Section 24-1(a)(3), (4), (7), or (9) of the Criminal Code of 2012

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6-206(a)23	206123	6 206 A23	Has been convicted of violating Section 11-502(a) for a second or subsequent time within one year
6-206(a)24	206124	6 206 A24	Has been convicted by court martial or punished by non-judicial punishment by military authorities of the United States at a military installation in Illinois of a traffic related offense that is the same or similar to an offense specified under Section 6-205 or 6-206 or in another state
6-206(a)25	206125	6 206 A25	Has permitted any form of identification to be used by another in the application process in order to obtain a license, identification card or permit
6-206(a)26	206126	6 206 A26	Has altered or attempted to alter a license or has possessed an altered license, identification card or permit
6-206(a)27	206127	6 206 A27	Has violated Section 6-16 of the Liquor Control Act of 1934
6-206(a)28	206128	6 206 A28	Conviction for the illegal possession of any controlled substance prohibited under the Illinois Controlled Substances Act or any cannabis prohibited under the Cannabis Control Act while operating a motor vehicle
6-206(a)29	206129	6 206 A29	Conviction of criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, juvenile pimping, soliciting for a juvenile prostitute or the manufacture, sale or delivery of controlled substances or instruments used for illegal drug use or abuse while operating a motor vehicle

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6-206(a)30	206130	6 206 A30	Conviction of a second or subsequent time of a sex offense and/or an offense against drug laws while operating a motor vehicle as enumerated in Section 6-206(a)(29)
6-206(a)31	206131	6 206 A31	Refused to submit/failed test as required by Section 11-501.6
6-206(a)32	206132	6 206 A32	Has used a motor vehicle in violation of Section 24-1.2 of the Criminal Code of 2012
6-206(a)33	206133	6 206 A33	A violation of Section 11-502(a) or a similar provision of a local ordinance and the driver was less than 21 years of age at the time of the offense
6-206(a)34	206134	6 206 A34	Two or more convictions of moving traffic violations committed within a 24-month period (Type Action 02 prior to 8-8-98) (Type Action 03 prior to 8-11-98)
6-206(a)34	206134	6 206 A34	Use of fictitious or unlawfully altered person-with-disabilities license plate or parking decal or device as defined in Section 11-1301.5 (effective 8-8-98)
6-206(a)35	206135	6 206 A35	Use of fictitious or unlawfully altered person-with-disabilities license plate or parking decal or device as defined in Section 11-1301.5 (prior to 8-8-98)
6-206(a)35	206135	6 206 A35	Use of fraudulent person-with-disabilities license plate or parking decal or device as defined in Section 11-1301.6 (effective 8-8-98)
6-206(a)36	206136	6 206 A36	Use of fraudulent person-with-disabilities license plate or parking decal or device as

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			defined in Section 11-1301.6 (prior to 8-8-98)
6-206(a)36	206136	6 206 A36	Two or more convictions of moving traffic violations committed within a 24 month period (Type Action 02 effective 8-8-98) (Type Action 03 effective 8-11-98)
6-206(a)37	206137	6 206 A37	Has been convicted of a violation of Section 11-907(c) that resulted in property damage, personal injury, or death
6-206(a)38	206138	6 206 A38	Has been convicted of a violation of Section 6-20 of the Liquor Control Act of 1934
6-206(a)39	206139	6 206 A39	Has committed a second or subsequent violation of Section 11-1201
6-206(a)40	206140	6 206 A40	Failure to yield and proceed with due caution upon entering a construction zone when workers are present
6-206(a)41	206141	6 206 A41	Committed a second or subsequent violation of Section 11-605.1 of the Illinois Vehicle Code, a similar provision of a local ordinance or a similar violation in any other state, within 2 years of the date of the previous violation
6-206(a)42	206142	6 206 A42	Has committed a violation of Section 11-1301.3(a-1)
6-206(a)43	206143	6 206 A43	Supervision for violation of Section 6-20 of the Liquor Control Act
6-206(a)44	206144	6 206 A44	Has been convicted of a moving violation after having previously been suspended or revoked pursuant to Section 6-206(a)36

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6-206(a)45	206145	6 206 A45	Committed perjury or submitted false documents at a formal hearing
6-206(a)46	206146	6 206 A46	Has committed a violation of subsection (j) of Section 3-413
6-206(a)47	206147	6 206 A47	Has committed a violation of Section 11-502.1
6-206(c)3	206303	6 206 C3	Conviction of an offense while holding a Restricted Driving Permit
6-206.1(J)	206010	6 206.1 J	Violation of the requirements of the monitoring device driving permit (MDDP)
6-206.1(L)	206012	6 206.1 L	Convicted or received court supervision of violation listed in Section 6-206.1(c-1) or de-installed MDDP without authorization

i) Discretionary or Mandatory – Suspension – Type Action 03, 07, 09, 17, or ZT

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
6-205(c)	205300	6 205 C0	Suspension of a Restricted Driving Permit
6-205.2	205002	6 205 02	Theft of motor fuel
6-303(b)	303200	6 303 B0	Driving while license or permit has been revoked or suspended
6-306.3	306003	6 306 03	Failure to appear in court to answer a traffic violation charge after depositing a valid Illinois license in lieu of bail
6-306.5	306005	6 306 05	Failure to pay fines – parking violations or automated traffic law violations

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6-306.7	306007	6 306 07	Failure to pay fines – Illinois State Toll Highway Authority
<u>6-308</u>	<u>308000</u>	<u>6 308 00</u>	<u>Failure to Appear – Traffic Violation</u>
11-406(e)	040650	1 0406 E0	Suspended for failure or neglect to make a report of a traffic accident as required by Section 11-406
11-501.1	050101	1 0501 01	Statutory Summary Suspension
11-501.8	050108	1 0501 08	Zero Tolerance Suspension
<u>11-501.9</u>	<u>050109</u>	<u>1 0501 09</u>	<u>Medical Cannabis Suspension</u>
11-1414(f)	141460	1 1414 F0	Failure to stop for school bus when loading or discharging passengers
11-1425(d)	142540	1 1425 D	Failure to have space to drive through railroad crossing
<u>11-1431(b)</u>	<u>114312</u>	<u>1 1431 B</u>	<u>Suspension of Towing</u>
13A 112(b)	311122	13A 112 B	Vehicle Emissions Suspension
13B 55(b)	132552	13B 55B	Vehicle Emissions Suspension

j) Safety Responsibility Suspension – Type Action 04

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
7-201			Motor vehicle operator and/or owner of a vehicle involved in an accident in excess of \$500 without liability insurance coverage, with a reasonable possibility of a civil judgment being entered in court

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k) Financial Responsibility Suspension – Type Action 05

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
7-305			Failure to maintain proof of financial responsibility (SR-22 insurance) for a designated period of time

UNIFIED CODE OF CORRECTIONS *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
730/5	5-6-3.1(m)		Fail to file proof of financial responsibility after receiving supervision or three convictions for a mandatory insurance violation

l) Unsatisfied Judgment Suspension – Type Action 06

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
7-303			Failure to satisfy court judgment relating to property damage or personal injury resulting from the operation of any motor vehicle

m) Cancellation – Type Action 08

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
6-108(1)	108001	6 108 01	Request for withdrawal of consent

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6-108(2)	108002	6 108 02	Death of person giving consent
6-108(3)	108003	6 108 03	Person giving consent no longer has legal custody
6-108(A)(5)	108105	6 108 A5	Failed to disclose a pending citation at the time of the graduated driver's license application
6-108(4)	108004	6 108 04	Reported to be a chronic or habitual truant as defined in Section 26-2a of the School Code [105 ILCS 5/26-2a]
6-113(d)	113400	6 113 D0	Cancellation of a Restricted Driving Permit based on evidence of violation of restriction
6-201(a)1	201101	6 201 A1	Not entitled to the issuance of the license or permit
6-201(a)2	201102	6 201 A2	Failed to give the required or correct information
6-201(a)3	201103	6 201 A3	Failed to pay fees or taxes due
6-201(a)4	201104	6 201 A4	Committed any fraud in the making of such application
6-201(a)5	201105	6 201 A5	Ineligible therefore under the provisions of Section 6-103
6-201(a)6	201106	6 201 A6	Has refused or neglected to submit to examination or re-examination as required under this Code
6-201(a)7	201107	6 201 A7	Has violated the Cannabis Control Act or the Illinois Controlled Substances Act while in physical control of a motor vehicle

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6-201(a)8	201108	6 201 A8	Failed to notify Secretary of State of a medical condition that is likely to cause loss of consciousness or loss of ability to safely operate a motor vehicle within 10 days after becoming aware of the condition
6-201(a)9	201109	6 201 A9	Convicted of a sex offense as defined in the Sex Offender Registration Act [730 ILCS 150]
6-201(a)11	201111	6 201 A11	Refused or neglected to appear at a driver services facility to have a license corrected or failed to appear to present documentation for verification of identity
6-201(a)12	201112	6 201 A12	Fraudulent document or failed to submit medical card/variance
6-201(a)13	201113	6 201 A13	Medical Certification/variance removed by FMCSA
6-201(a)14	201114	6 201 A14	Failure to self certify
6-201(a)15	201115	6 201 A15	Out of state resident/SR22 not required
6-205(c)	205300	6 205 C0	Cancellation of a permit issued subsequent to a mandatory revocation pursuant to Section 6-205
6-206(c)3	206303	6 206 C3	Cancellation of a permit subsequent to a discretionary revocation or suspension pursuant to Section 6-206
6-206.1(a)4	206014	6 206.1 A4	Failure to install BAID
6-206.1(c-1)	206013	6 206.1 C-1	De-installed BAID without prior authorization from Secretary of State

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ILLINOIS IDENTIFICATION CARD ACT *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
335 13(b)1	013201	335-13 B1	Not entitled to the issuance of an identification card
335 13(b)2	013202	335-13 B2	False statement or knowingly concealed a material fact in your application for an identification card
335 13(b)3	013203	335-13 B3	Displayed or represented as your own an identification card not issued to you
335 13(b)4	013204	335-13 B4	Permitted an unlawful use of your identification card by allowing another person to use your identification card
335 13(b)5	013205	335-13 B5	Signature of the applicant or the signature on the identification card is a forgery
335 13(b)6	013206	335-13 B6	Identification card has been used for an unlawful or fraudulent purpose
335 13(b)7	013207	335-13 B7	Identification card has been altered or defaced
335 13(b)8	013208	335-13 B8	Identification card has been duplicated for any purpose
335 13(b)9	013209	335-13 B9	Identification card was utilized for counterfeit purposes
335 13(b)10	013210	335-13 B10	Not a disabled person as defined in Section 4A of the Illinois Identification Card Act
335 13(b)11	013211	335-13 B11	The holder failed to appear at a Driver Services Facility for the re-issuance of an

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identification card or was issued based on invalid, altered, fictitious or fraudulent documents

n) Discretionary/Mandatory Cancellation/Suspension/Denial of School Bus Driver Permit – Type Action 45

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
6-106.1	106001	6 106 01	Discretionary/mandatory suspension/cancellation/denial of a school bus driver permit pursuant to Section 6-106.1
6-106.1(a)	106011		Zero tolerance cancellation of school bus driver permit

o) Denial – Type Action DN

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
6-103(18)			Denial of driver's license and/or driving privileges pursuant to Section 6-103(18)
6-107(c)			Denial of driver's license and/or driving privileges pursuant to Section 6-107(c)
6-107(d)			Denial of driver's license pursuant to Section 6-107(d)
6-108.1			Denial of driver's license pursuant to Section 6-108.1

p) Discretionary/Mandatory Disqualification – Type Action DQ

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IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
6-514(a)1	514101	6 514 A1	Refusal to submit/failure to complete chemical test
6-514(a)2	514102	6 514 A2	Operating commercial motor vehicle/non-commercial motor vehicle with alcohol concentration .04 or more or any amount of a drug, substance, or compound in such person's blood, breath or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act or a controlled substance listed in the Illinois Controlled Substances Act or Methamphetamine Control and Community Protection Act
6-514(a)3I	514131	6 514 A31	Driving under influence of alcohol/other drugs
6-514(a)3II	514132	6 514 A32	Leaving scene of accident while operating commercial motor vehicle
6-514(a)3III	514133	6 514 A33	Driving commercial motor vehicle while committing any felony
6-514(b)	514200	6 514 B	Second conviction of violation Section 6-514(a)
6-514(c)	514300	6 514 C	Conviction of felony drug offenses using commercial motor vehicle
6-514(e)	514500	6-514 E	Conviction of 2 or more serious traffic violations within 3 years
6-514(i)1	514901	6-514 I1	Conviction for a first violation of operating a commercial motor vehicle while driving

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			privileges, license or permit is subject to or in violation of an out-of-service order
6-514(i)2	514902	6 514 I2	Conviction for a second violation of operating a commercial motor vehicle while driving privileges, license or permit is subject to or in violation of an out-of-service order
6-514(i)3	514903	6 514 I3	Conviction for a third or more violation of operating a commercial motor vehicle while driving privileges, license or permit is subject to or in violation of an out-of-service order
6-514(i)4	514904	6 514 I4	Conviction for a first violation of operating a commercial motor vehicle while driving privileges, license, or permit is subject to or in violation of an out-of-service order and while transporting passengers or hazardous materials
6-514(i)5	514905	6 514 I5	Conviction for a second violation of operating a commercial motor vehicle while driving privileges, license or permit is subject to or in violation of an out-of-service order and while transporting passengers or hazardous materials
6-514(i)6	514906	6 515 I6	Conviction for a third or more violation of operating a commercial motor vehicle while driving privileges, license or permit is subject to or in violation of an out-of-service order and while transporting passengers or hazardous materials
6-514(j)2i	514021	6 514 J2i	Convicted for a first violation of railroad-highway grade crossing

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6-514(j)2ii	514022	6 514 J2ii	Convicted for a second violation of railroad-highway grade crossing within a three-year period
6-514(j)2iii	514023	6 514 J2iii	Convicted of a third or subsequent violation of railroad-highway grade crossing within a three-year period
6-514(k)	514110	6 514 K	Notification of a disqualification of a driver's CMV privileges imposed by USDOT, Federal Motor Carrier Safety Administration, in accordance with 49 CFR 383.52, the Secretary of State shall immediately record the notice of disqualification and confirm the action to the driver
6-514(a)3iv	514134	6 514 A3iv	Driving a CMV when, as a result of prior violations committed while operating a CMV, the driver's CDL is revoked, suspended, disqualified or cancelled
6-514(a)3v	514135	6 514 3v	Causing a fatality through the negligent operation of a CMV, including but not limited to the crimes of motor vehicle manslaughter, homicide by motor vehicle and negligent homicide

q) Family Financial Responsibility Suspension – Type Action FR

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
7-702	702000	7 702 00	Individuals who are 90 days or more delinquent in court ordered child support payments and have been found in contempt by the court

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7-703 Individuals who are 90 days or more delinquent in court ordered child support payment

7-704.1 Individual certified by Illinois Department of Healthcare & Family Services of delinquency of child support payments

7-705.2 Receipt of court order indicating the driver has engaged in abuse of a child visitation order

r) Invalidation – Type Action IV

IVC VIOLATION CODE	EDPM OFFENSE CODE	ABSTRACT DESCRIPTION CODE	DESCRIPTION OF OFFENSE
*****	*****	*****	*****

6-301.3 Invalidation of driver's license or permit pursuant to Section 6-301.3

s) Out-Of-Service – Law Enforcement Sanction History Item – Type Action OS

IVC VIOLATION CODE	EDPM OFFENSE CODE	ABSTRACT DESCRIPTION CODE	DESCRIPTION OF OFFENSE
*****	*****	*****	*****

6-515 515000 6 515 24 hour out-of-service order

t) The following violations will not be assigned points but will be entered on the driving record as Type Action -68- record history item conviction. In the following Table, ACD means AAMVANet Code Dictionary.

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
A24	Driving under the influence of medication not intended to intoxicate

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- A33      Illegal possession of drugs (controlled substances)
- A60      Underage conviction of drinking and driving at .02 or higher BAC
- A61      Underage Administrative Per Se – drinking and driving at .02 or higher BAC
- B63      Failed to file future proof of financial responsibility
- B64      Failed to file insurance certification
- B65      Failed to file medical/certification disability information
- B74      Failed to show insurance certification
- B78      Failed to show non-commercial driver's license (includes Instruction Permit)
- D02      Misrepresentation of identity or other facts on application, including required self-certifications, for non-commercial permit or license for driver's license ~~(includes DL, CDL, and Instruction Permit)~~
- D16      Present or use improperly driver's license (includes DL, CDL, and Instruction Permit)
- D35      Failure to comply with financial responsibility law
- D36      Failure to maintain required liability insurance
- D37      Failure to pay for damages or make installment payment
- D38      Failure to post security or obtain release from liability
- D39      Unsatisfied judgment
- D45      Failure to appear for trial or court appearance
- D51      Failure to make required payment of child support
- D53      Failure to make required payment of fines and costs

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- D56 Failure to answer a citation, pay fines, penalties and/or costs related to the original violation
- D72 Inability to control vehicle
- D74 Operating a motor vehicle improperly due to drowsiness
- D75 Operating a motor vehicle improperly due to physical or mental disability
- E03 Operating without HAZMAT safety equipment as required by law
- E04 Operating without HAZMAT placards/markings as required by law
- ~~E33 Defective HAZMAT safety devices~~
- E37 Defective tires [\(Retired 09-01-13\)](#)
- E50 Failure to use equipment as required
- E53 Failure to use HAZMAT safety devices as required
- E54 Failure to use headlight dimmer as required (arrests occurring after 12-31-07)
- E57 Failure to use snow tires or chains as required
- E70 Equipment used improperly or obstructed
- F05 Carrying unsecured passengers in open area of vehicle
- F06 Improper operation of or riding on a motorcycle
- F34 Stopping, standing or parking: obstructing or impeding traffic [with a motor vehicle](#)
- F66 Unsafe condition of vehicle (no specified component) [\(Retired 09-01-13\)](#)
- M02 Failure to obey barrier

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M03	Failure to obey construction or maintenance zone markers
M04	Failure to obey flagger
M09	Failure to obey railroad crossing restrictions
M13	Failure to obey school crossing guard
M32	Following emergency vehicle unlawfully
M33	Following fire equipment unlawfully
M43	Ran off road
M47	Improper lane or location – in bicycle lane
M55	Improper lane or location – on rail or streetcar tracks
M80	Inattentive, careless or negligent driving
M81	Careless driving
M82	Inattentive driving
M83	Negligent driving
N02	Failure to yield right of way to animal rider or animal-drawn vehicle
N41	Failure to cancel directional signals
N44	Giving wrong signal
N80	Coasting (operating with gears disengaged)
N84	Unsafe operation
S97	Operating at erratic or suddenly changing speeds
U02	Resisting arrest <a href="#">while operating a motor vehicle</a>

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- U04 Using a motor vehicle in connection with a misdemeanor (not a traffic offense)
- U05 Using a motor vehicle to aid and abet a felon
- U06 Vehicular assault
- U21 Illegal operation of emergency vehicle
- W80 Failed employer-directed drug test
- W81 Refusal to submit to an employer-directed drug test

u) The following violations will not be assigned points but will be entered on the driving record as Type Action -82- conviction immediate action:

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
A04	Driving under the influence of alcohol with BAC of at least .04 but not greater than .079
A08	Driving under the influence of alcohol with BAC at or over .08
A10	Driving under the influence of alcohol with BAC at or over .10
A11	Driving under the influence of alcohol with BAC at _____
A12	Refuse to submit to test for alcohol – Implied Consent Law
A20	Driving under the influence of alcohol or drugs
A21	Driving under the influence of alcohol
A22	Driving under the influence of drugs
A23	Driving under the influence of alcohol and drugs

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- A25 Driving while impaired
- A90 Admin Per Se for BAC at or over .10
- A91 Admin Per Se for BAC at \_\_\_\_\_ (detail field required)
- A94 Admin Per Se for BAC of at least .04 but not greater than .079
- A98 DUI at .08 Admin
- B21 Driving while license barred
- B22 Driving while license cancelled
- B23 Driving while license denied
- B27 ~~Violating a driver or vehicle out-of-service order~~ ~~Driving while license out-of-service order is in effect~~ (for violations not covered by B19)
- D06 Misrepresentation of identify or other facts to obtain alcohol
- D07 Possess multiple driver's licenses (including DL, CDL and Instruction Permit) (Serious violation)
- D10 Manufacture or duplicate false driver's license (includes DL, CDL and Instruction Permit)
- D27 Violate limited license conditions (Serious violation)
- D29 Violate restrictions of driver's license (includes DL, CDL and Instruction Permit) (Serious violation)
- S95 Speed contest (racing) on road open to traffic
- v) The following violations will not be assigned points but will be entered on the driving record as Type Action -83- conviction immediate action:

ACD  
CODE

DESCRIPTION OF OFFENSE

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A41 Driver violation of ignition interlock or immobilization device and/or lease agreement

A50 Motor vehicle used in the commission of a felony involving manufacturing, distribution, or dispensing a controlled substance

B06 Leaving scene of an accident before police arrive – fatal accident

B07 Leaving scene of an accident before police arrive – personal injury accident

B19 Violating a driver or vehicle out-of-service order while transporting hazardous materials that require a placard or operating a vehicle designed to transport 16 or more passengers, including the driver~~Driving while out-of-service order is in effect and transporting 16 or more passengers, including the driver, and/or transporting hazardous materials that require a placard~~

B20 Driving while license withdrawn

B24 Driving while license disqualified

B25 Driving while license revoked

B26 Driving while license suspended

B41 Possess or provide counterfeit or altered driver's license (includes DL, CDL and Instruction Permit) or ID

B51 Expired or no non-commercial driver's license or permit~~driver's license (includes DL, CDL and Instruction Permit)~~

B56 Driving a CMV without obtaining a CLP/CDL (Serious violation)

B91 Driving without the proper class of CLP or CDL or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported (Serious violation)~~Improper classification or endorsement on driver's license (includes DL, CDL and Instruction Permit) (Serious violation)~~

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NOTICE OF ADOPTED AMENDMENT

D30 Misrepresentation of identity or other facts on application, including self-certifications for CLP and CDL; to satisfy the requirement in 49 CFR 383.73(j)

D31 Fraud related to the issuance of a CLP or CDL; to satisfy the provisions in 49 CFR 383.73(k)(1)

D78 Perjury about the operation of a motor vehicle

M23 Failure to have space to drive through railroad crossing

U01 Fleeing or evading police or roadblock

U03 Using a motor vehicle in connection with a felony (not traffic offense)

U07 Vehicular homicide

U08 Vehicular manslaughter (Serious violation)

U09 Negligent homicide while operating a CMV

U10 Causing a fatality through the negligent operation of a CMV

U27 Vehicular feticide (first degree)

U28 Vehicular feticide (second degree)

w) The following violations will not be assigned points but will be entered on the driving record as Type Action -85- conviction:

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
B61	Failed to file accident report
D70	Driver's view obstructed
E01	Operating without equipment as required by law

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT

- E23 Use of radar or laser detector prohibited by law
- E34 Defective lights [\(Retired 09-01-13\)](#)
- E54 Failure to use headlight dimmer as required (arrests occurring prior to 1-1-08)
- F02 Child or youth restraint not used properly as required
- F04 Seat belt not used properly as required
- M30 Following improperly
- M56 Improper lane or location – on fire hose
- N05 Failure to yield right of way to funeral procession, procession or parade
- x) The following point assigned violations will be entered on the driving record as Type Action -87- conviction:

ACD CODE	DESCRIPTION OF OFFENSE	POINTS
*****	*****	*****
A26	Drinking alcohol while operating a vehicle	25
A31	Illegal possession of alcohol	25
A35	Possession of open alcohol container <a href="#">while operating a motor vehicle</a>	25
B01	Hit and run – failure to stop and render aid after accident	25
B02	Hit and run – failure to stop and render aid after accident – fatal accident	50
B03	Hit and run – failure to stop and render aid after accident – personal injury accident	50
B04	Hit and run – failure to stop and render aid after accident – property damage accident	25

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## NOTICE OF ADOPTED AMENDMENT

B05	Leaving scene of accident before police arrive	25
B08	Leaving scene of accident before police arrive – property damage accident	25
B14	Failure to reveal identity after fatal or personal injury accident	50
B57	Driving a CMV without a <a href="#">CLP</a> or CDL in the driver's possession	50
E02	Operating without brakes as required by law	20
E05	Operating without lights as required by law	10
E06	Operating without school bus equipment as required by law	5
E31	Defective brakes <a href="#">(Retired 09-01-13)</a>	20
E36	Defective school bus equipment <a href="#">(Retired 09-01-13)</a>	5
E51	Failure to use brakes	20
E55	Failure to use lights as required	10
E56	Failure to use school bus safety equipment as required	5
E71	Brakes used improperly	20
F03	Motorcycle safety equipment not used properly as required	5
M05	Failure to obey land markings or signal	20
M08	Failure to obey police or peace officer	10
M10	Failure to obey railroad gates, signs, or signals	20
M11	Failure to obey restricted lane (Serious violation)	20

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## NOTICE OF ADOPTED AMENDMENT

M12	Failure to obey safety zone	20
M14	Failure to obey sign or traffic control device	20
M15	Failure to obey stop sign	20
M16	Failure to obey traffic signal or light	20
M17	Failure to obey traffic sign	20
M18	Failure to obey warning light or flasher	20
M19	Failure to obey yield sign, or when entering roadway	20
M20	Failure to slow down at a railroad crossing and check tracks are clear	20
M21	Failure to stop before reaching tracks at a railroad-highway grade crossing when the tracks are not clear	20
M22	Failure to stop as required before driving onto railroad-highway grade crossing	20
M24	Fail to negotiate a railroad-highway grade crossing because of insufficient undercarriage clearance	20
M25	Failure to stop; basic rule at unsigned intersection or when entering roadway from private driveway, alley, etc.	20
M31	Failure to leave sufficient distance for overtaking by other vehicles	20
M34	Following too closely (Serious violation)	20
M40	Improper lane or location	20
M41	Failure to keep in proper lane	20
M42	Improper or erratic (unsafe) lane changes (Serious violation)	20

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENT

M44	Improper lane or location – crossover	20
M45	Improper lane or location – crosswalk	20
M46	Improper lane or location – entrance/exit ramp or way	10
M48	Improper lane or location – in occupied lane	20
M49	Improper lane or location – in human occupant violator or restricted lane	20
M50	Improper lane or location – limited access highway	10
M51	Improper lane or location – median	20
M57	Improper lane or location – oncoming traffic lane	20
M58	Improper lane or location – road shoulder, ditch, or sidewalk	20
M60	Improper lane or location – slower vehicle lane	20
M61	Improper lane or location – straddling center lines	20
M62	Improper lane or location – traveling in turn (or center) lane	20
M70	Improper passing	10
M71	Passing in violation of posted sign or pavement marking	20
M72	Passing in violation of opposite directions restrictions	10
M73	Passing on wrong side	20
M74	Passing on hill or curve	20
M75	Passing school bus displaying warning not to pass	25
M76	Passing where prohibited	20

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENT

M77	Passing with insufficient distance or visibility	20
M84	Reckless driving (Serious violation)	55
M85	Texting while driving (Serious violation)	10
M86	<a href="#">Violating prohibitions on using</a> Using a handheld mobile telephone while driving (Serious violation)	10
N01	Failure to yield right of way	20
N03	Failure to yield right of way to cyclist	10
N04	Failure to yield right of way (i.e., ambulance, fire equipment, police, etc.)	15
N06	Failure to yield right of way to other vehicle	20
N07	Failure to yield right of way to overtaking vehicle	20
N08	Failure to yield right of way to pedestrian (includes handicapped or blind)	20
N09	Failure to yield right of way to school bus	20
N20	Failure to yield right of way at crosswalk	20
N21	Failure to yield right of way at rotary/roundabout/circular intersection	20
N22	Failure to yield right of way at stop sign	20
N23	Failure to yield right of way at traffic sign	20
N24	Failure to yield right of way at traffic signal	20
N25	Failure to yield right of way at unsigned intersection	15

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## NOTICE OF ADOPTED AMENDMENT

N26	Failure to yield right of way at yield sign	20
N30	Failure to yield right of way when warning displayed on other vehicle	15
N31	Failure to yield right of way when turning	20
N40	Failure to use or improper signal	15
N42	Failure to signal intent to pass	15
N43	Failure to signal lane change or turn	15
N50	Improper turn	10
N51	Improper method of turning	10
N52	Improper position for turning	10
N53	Making improper left turn	10
N54	Making improper right turn	10
N55	Making improper turn around (not U turn)	10
N56	Making improper U turn	20
N60	Driving wrong way	5
N61	Driving wrong way at rotary/roundabout/circular intersection	5
N62	Driving wrong way on divided highway	5
N63	Driving wrong way on one way street or road	5
N70	Driving on wrong side	20
N71	Driving on wrong side of divided highway	20

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## NOTICE OF ADOPTED AMENDMENT

N72	Driving on wrong side of undivided street or road	20
N82	Improper backing	10
N83	Improper start from a parked position	15
S01	01-05 <del>&gt;Regulated or posted mph over</del> speed limit (detail optional)	5
S06	06-10 <del>&gt;Regulated or posted mph over</del> speed limit (detail optional)	5
S14	11-14 <del>&gt;Regulated or posted mph over</del> speed limit	15
S15	Speeding 15 mph or more <del>above</del> over the <del>regulated or posted</del> speed limit (detail optional) (Serious violation)	20
S16	16-20 <del>&gt;Regulated or posted mph over</del> speed limit (detail optional) (Serious violation)	20
S21	21-25 <del>&gt;Regulated or posted mph over</del> speed limit (detail optional) (Serious violation)	20
S26	26-30 <del>&gt;Regulated or posted mph over</del> speed limit (detail optional) (Serious violation)	50
S31	31-35 <del>&gt;Regulated or posted mph over the</del> speed limit (detail optional) (Serious violation)	50
S36	36-40 <del>&gt;Regulated or posted mph over the</del> speed limit (detail optional) (Serious violation)	50
S41	41 <del>&gt;Regulated or posted mph or more over the</del> speed limit (detail optional) (Serious violation)	50
S51	01-10 <del>&gt;Regulated or posted mph over</del> speed limit (detail optional)	5
S71	21-30 <del>&gt;Regulated or posted mph over</del> speed limit (detail	20

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NOTICE OF ADOPTED AMENDMENT

	optional) (Serious violation)	
S81	31-40 <del>&gt;Regulated or posted mph over</del> speed limit (detail optional) (Serious violation)	50
S91	41 <del>&gt;Regulated or posted mph or more over</del> speed limit (detail optional) (Serious violation)	50
S92	Speeding – <u>Regulated or posted</u> speed limit and actual speed (detail required)	10
S93	Speeding	10
S94	Prima facie speed violation or driving too fast for conditions	10
S96	Speed less than minimum	5
S98	Speeding on freeway (wasting fuel)	10
U31	Violation resulting in fatal accident (Serious violation)	20

y) The following withdrawals will not be assigned points but will be entered on the driving record as Type Action -89- withdrawal:

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
A04	Driving under the influence of alcohol with BAC at or over .04
A08	Driving under the influence of alcohol with BAC at or over .08
A10	Driving under the influence of alcohol with BAC at or over .10
A11	Driving under the influence of alcohol with BAC at or over _____ (detail field required)
A12	Refused to submit to test for alcohol-Implied Consent Law
A20	Driving under the influence of alcohol or drugs

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## NOTICE OF ADOPTED AMENDMENT

- A21 Driving under the influence of alcohol
- A22 Driving under the influence of drugs
- A23 Driving under the influence of alcohol and drugs
- A24 Driving under the influence of medication not intended to intoxicate
- A25 Driving while impaired
- A26 Drinking alcohol while operating a vehicle
- A31 Illegal possession of alcohol
- A33 Illegal possession of drugs (controlled substances)
- A35 Possession of open alcohol container [while operating a motor vehicle](#)
- A41 Driver violation of ignition interlock or immobilization device [and/or lease agreement](#)
- A50 Motor vehicle used in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance
- A60 Underage convicted of drinking and driving at .02 or higher BAC
- A61 Underage Administrative Per Se – drinking and driving at .02 or higher BAC
- A90 DUI at .10 Admin
- A91 Administrative Per Se for blood alcohol concentration at \_\_\_\_
- A94 DUI at .04 Admin
- A98 DUI at .08 Admin
- B01 Hit and run – failure to stop and render aid after accident

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## NOTICE OF ADOPTED AMENDMENT

- B02 Hit and run – failure to stop and render aid after accident – fatal accident
- B03 Hit and run – failure to stop and render aid after accident – personal injury accident
- B04 Hit and run – failure to stop and render aid after accident – property damage accident
- B05 Leaving accident scene before police arrive
- B06 Leaving accident scene before police arrive – fatal accident
- B07 Leaving accident scene before police arrive – personal injury accident
- B08 Leaving accident scene before police arrive – property damage accident
- B14 Failure to reveal identity after fatal or personal injury accident
- B19 Violating a driver or vehicle out-of-service order while transporting hazardous materials that require a placard or operating a vehicle designed to transport 16 or more passengers, including the driver~~Driving while out-of-service order is in effect and transporting 16 or more passengers, including the driver and/or transporting hazardous materials that require a placard~~
- B20 Driving while license withdrawn
- B21 Driving while license barred
- B22 Driving while license cancelled
- B23 Driving while license denied
- B24 Driving while license disqualified
- B25 Driving while license revoked
- B26 Driving while license suspended

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## NOTICE OF ADOPTED AMENDMENT

- B27 [Violating a driver or vehicle out-of-service order \(for violations not covered by B19\)](#)~~Driving while license out of service order is in effect~~
- B41 Possess or provide counterfeit or altered driver's license (includes DL, CDL and Instruction Permit) or ID
- B51 Expired or no [non-commercial driver's license or permit](#)~~driver's license (includes DL, CDL and Instruction Permit)~~
- B56 Driving a CMV without obtaining a [CLP/CDL](#)
- B57 Driving a CMV without a [CLP or](#) CDL in the driver's possession
- B61 Failed to file accident report
- B63 Failed to file future proof of financial responsibility
- B64 Failed to file insurance certification
- B65 Failed to file medical certification/disability information
- B74 Failed to show insurance certification
- B78 Failed to show non-commercial driver's license (includes Instruction Permit)
- B91 [Driving without the proper class of CLP or CDL or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported \(Serious violation\)](#)~~Improper classification or endorsement on driver's license (includes DL, CDL and Instruction Permit)~~
- D02 Misrepresentation of identity or other facts on application, [including required self-certifications, for non-commercial permit or license](#)~~for driver's license (includes DL, CDL and Instruction Permit)~~
- D06 Misrepresentation of identity or other facts to obtain alcohol
- D07 Possess multiple driver's licenses (includes DL, CDL and Instruction Permit)

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## NOTICE OF ADOPTED AMENDMENT

- D10 Manufacture or duplicate false driver's license (includes DL, CDL and Instruction Permit)
- D16 Present or use improperly – driver's license (includes DL, CDL and Instruction Permit)
- D27 Violate limited license conditions
- D29 Violate restrictions of driver's license (includes DL, CDL and Instruction Permit)
- D30 Misrepresentation of identity or other facts on application, including self-certifications for CLP or CDL; to satisfy the requirement in 49 CFR 383.73(j)
- D31 Fraud related to the issuance of a CDP or CDL; to satisfy the provisions in 49 CFR 383.73(k)(1)
- D35 Failure to comply with financial responsibility law
- D36 Failure to maintain required liability insurance
- D37 Failure to pay for damages or make installment payment
- D38 Failure to post security or obtain release from liability
- D39 Unsatisfied judgment
- D45 Failure to appear for trial or court appearance
- D51 Failure to make required payment of child support
- D53 Failure to make required payment of fines and costs
- D56 Failure to answer a citation, pay fines, penalties and/or costs related to the original violation
- D70 Driver's view obstructed

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## NOTICE OF ADOPTED AMENDMENT

- D72 Inability to control vehicle
- D74 Operating a motor vehicle improperly because of drowsiness
- D75 Operating a motor vehicle improperly due to physical or mental disability
- D78 Perjury about the operation of a motor vehicle
- E01 Operating without equipment as required by law
- E02 Operating without brakes as required by law
- E03 Operating without HAZMAT safety equipment as required by law
- E04 Operating without HAZMAT placards/markings as required by law
- E05 Operating without lights as required by law
- E06 Operating without school bus equipment as required by law
- E23 Use of radar or laser detector prohibited by law
- E31 Defective brakes [\(Retired 09-01-13\)](#)
- ~~E33 Defective HAZMAT safety devices~~
- E34 Defective lights [\(Retired 09-01-13\)](#)
- E36 Defective school bus equipment [\(Retired 09-01-13\)](#)
- E37 Defective tires [\(Retired 09-01-13\)](#)
- E50 Failure to use equipment as required
- E51 Failure to use brakes
- E53 Failure to use HAZMAT safety devices as required
- E55 Failure to use lights as required

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## NOTICE OF ADOPTED AMENDMENT

- E56 Failure to use school bus safety equipment as required
- E57 Failure to use snow tires or chains as required
- E70 Equipment used improperly or obstructed
- E71 Brakes used improperly
- F02 Child or youth restraint not used properly as required
- F03 Motorcycle safety equipment not used properly as required
- F04 Seat belt not used properly as required
- F05 Carrying unsecured passengers in open area of vehicle
- F06 Improper operation of or riding on a motorcycle
- F34 Stopping, standing, or parking: obstructing or impeding traffic [with a motor vehicle](#)
- F66 Unsafe condition of vehicle (no specified component) [\(Retired 09-01-13\)](#)
- M02 Failure to obey barrier
- M03 Failure to obey construction or maintenance zone markers
- M04 Failure to obey flagger
- M05 Failure to obey lane markings or signal
- M08 Failure to obey police or peace officer
- M09 Failure to obey railroad highway traffic control device
- M10 Failure to obey railroad traffic control device
- M11 Failure to obey restricted lane

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## NOTICE OF ADOPTED AMENDMENT

- M12 Failure to obey safety zone
- M13 Failure to obey school crossing guard
- M14 Failure to obey sign or traffic control device
- M15 Failure to obey stop sign
- M16 Failure to obey traffic signal or light
- M17 Failure to obey traffic signal
- M18 Failure to obey warning light or flasher
- M19 Failure to obey yield sign
- M20 Failure to slow down at a railroad crossing and check tracks are clear
- M21 Failure to stop before reaching tracks at a railroad-highway grade crossing when the tracks are not clear
- M22 Failure to stop as required before driving onto railroad-highway grade crossing
- M23 Failure to have sufficient space to drive completely through the highway crossing
- M24 Failure to negotiate a railroad-highway grade crossing because of insufficient undercarriage clearance
- M25 Failure to stop; basic rule at unsigned intersection or when entering roadway from private driveway, alley, etc.
- M30 Following improperly
- M31 Failure to leave sufficient distance for overtaking by other vehicles
- M32 Following emergency vehicle unlawfully

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## NOTICE OF ADOPTED AMENDMENT

M33	Following fire equipment unlawfully
M34	Following too closely
M40	Improper lane or location
M41	Failure to keep in proper lane
M42	Improper or erratic (unsafe) lane changes
M43	Ran off road
M44	Improper lane or location – crossover
M45	Improper lane or location – crosswalk
M46	Improper lane or location – entrance/exit ramp or way
M47	Improper lane or location – in bicycle lane
M48	Improper lane or location – in occupied lane
M49	Improper lane or location – in human occupant violator or restricted lane
M50	Improper lane or location – limited access highway
M51	Improper lane or location – median
M55	Improper lane or location – on rail or streetcar tracks
M56	Improper lane or location – on fire hose
M57	Improper lane or location – oncoming traffic lane
M58	Improper lane or location – road shoulder, ditch or sidewalk
M60	Improper lane or location – slower vehicle lane

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## NOTICE OF ADOPTED AMENDMENT

- M61 Improper lane or location – straddling center lines
- M62 Improper lane or location – traveling in turn (or center) lane
- M70 Improper passing
- M71 Passing in violation of posted sign or pavement marking
- M72 Passing in violation of opposite directions restriction
- M73 Passing on wrong side
- M74 Passing on hill or curve
- M75 Passing school bus displaying warning not to pass
- M76 Passing where prohibited
- M77 Passing with insufficient distance or visibility
- M80 Inattentive, careless or negligent driving
- M81 Careless driving
- M82 Inattentive driving
- M83 Negligent driving
- M84 Reckless driving
- M85 Texting while driving
- M86 Violating prohibitions on using a handheld mobile telephone while driving  
(Serious violations)~~Using a handheld mobile telephone while driving~~
- N01 Failure to yield right of way
- N02 Failure to yield right of way to animal rider or animal drawn vehicle

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## NOTICE OF ADOPTED AMENDMENT

- N03 Failure to yield right of way to cyclist
- N04 Failure to yield right of way to emergency vehicle (i.e., ambulance, fire equipment, police, etc.)
- N05 Failure to yield right of way to funeral procession, procession or parade
- N06 Failure to yield right of way to other vehicle
- N07 Failure to yield right of way to overtaking vehicle
- N08 Failure to yield right of way to pedestrian (includes handicapped or blind)
- N09 Failure to yield right of way to school bus
- N20 Failure to yield right of way at crosswalk
- N21 Failure to yield right of way at rotary/roundabout/circular intersection
- N22 Failure to yield right of way at stop sign
- N23 Failure to yield right of way at traffic sign
- N24 Failure to yield right of way at traffic signal
- N25 Failure to yield right of way at unsigned intersection
- N26 Failure to yield right of way at yield sign
- N30 Failure to yield right of way when warning displayed on other vehicle
- N31 Failure to yield right of way when turning
- N40 Failure to use signal or improper signal
- N41 Failure to cancel directional signals
- N42 Failure to signal intention to pass

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## NOTICE OF ADOPTED AMENDMENT

- N43 Failure to signal lane change
- N44 Giving wrong signal
- N50 Improper turn
- N51 Improper method of turning
- N52 Improper position for turning
- N53 Making improper left turn
- N54 Making improper right turn
- N55 Making improper turn around (not U turn)
- N56 Making improper U turn
- N60 Driving wrong way
- N61 Driving wrong way at rotary/roundabout/circular intersection
- N62 Driving wrong way on divided highway
- N63 Driving wrong way on one way street or road
- N70 Driving on wrong side
- N71 Driving on wrong side of divided highway
- N72 Driving on wrong side of undivided street or road
- N80 Coasting (operating with gears disengaged)
- N82 Improper backing
- N83 Improper start from parked position
- N84 Unsafe operations

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## NOTICE OF ADOPTED AMENDMENT

- S01 01-05 ~~>Regulated or posted~~~~mph above~~ speed limit (detail optional)
- S06 06-10 ~~>Regulated or posted~~~~mph above~~ speed limit (detail optional)
- S14 11-14 ~~>Regulated or posted~~~~mph over~~ speed limit
- S15 Speeding 15 mph or more above the regulated or posted speed limit (detail optional) (Serious violation)
- S16 16-20 ~~>Regulated or posted~~~~mph above~~ speed limit (detail optional) (Serious violation)
- S21 21-25 ~~>Regulated or posted~~~~mph above~~ speed limit~~speed limit~~ (detail optional) (Serious violation)
- S26 26-30 ~~>Regulated or posted~~~~mph above~~ speed limit (detail optional) (Serious violation)
- S31 31-35 ~~>Regulated or posted~~~~mph above~~ speed limit (detail optional) (Serious violation)
- S36 36-40 ~~>Regulated or posted~~~~mph above~~ speed limit (detail optional) (Serious violation)
- S41 41 ~~>Regulated or posted~~~~mph or more above~~ speed limit (detail optional) (Serious violation)
- S51 01-10 ~~>Regulated or posted~~~~mph above~~ speed limit (detail optional)
- S71 21-30 ~~>Regulated or posted~~~~mph above~~ speed limit (detail optional)
- S81 31-40 ~~>Regulated or posted~~~~mph above~~ speed limit (detail optional) (Serious violation)
- S91 41 ~~>Regulated or posted~~~~mph or more above~~ speed limit (detail optional)
- S92 Speeding – Regulated or posted; speed limit and actual speed (detail required)

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## NOTICE OF ADOPTED AMENDMENT

S93	Speeding
S94	Prima facie speed violation or driving too fast for conditions
S95	Speed contest (racing) on road open to traffic
S96	Speed less than minimum
S97	Operating at erratic or suddenly changing speeds
S98	Speeding or freeway (wasting fuel)
U01	Fleeing or evading police or roadblock
U02	Resisting arrest <a href="#">while operating a motor vehicle</a>
U03	Using motor vehicle in connection with a felony (not traffic offense)
U04	Using a motor vehicle in connection with a misdemeanor (not traffic offense)
U05	Using a motor vehicle to aid and abet a felon
U06	Vehicular assault
U07	Vehicular homicide
U08	Vehicular manslaughter
U09	Negligent homicide while operating a CMV
U10	Causing a fatality through the negligent operation of a CMV
U21	Illegal operation of emergency vehicle
U27	Vehicular feticide (first degree)
U28	Vehicular feticide (second degree)

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENT

U31	Violation resulting in fatal accident
W00	Withdrawal, non-ACD violation
W01	Accumulation of convictions (including point systems and/or being judged a habitual offender or violator)
W09	Failure to surrender hazmat endorsement as required by the USA Patriot Act
W13	Parental consent withdrawn
W14	Physical or mental disability
W15	Physician's or specialist's report recommended
W20	Unable to pass DL test(s) or meet qualifications
W27	Fail to make appointment to re-test within 30 days
W28	Failure to re-test or fail test(s)
W30	2 serious violations within 3 years
W31	3 serious violations within 3 years
W40	The accumulation of two or more major offenses
W41	An additional major offense after reinstatement
W45	Withdrawn for driving a CMV while disqualified for previous violations in a CMV
W50	The accumulation, within 10 years, of two out-of-service general violations
W51	The accumulation of two <u>convictions for</u> out-of-service order violations within 10 years when the second is while <u>operating a vehicle designed to transport</u> <del>transporting</del> 16 or more passengers, including the driver, and/or

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENT

transporting hazardous materials [as defined in 49 CFR 383.5](#) that require a placard

- W52 The accumulation of three or more out-of-service order violations within 10 years
- W60 Accumulation of two railroad-highway grade crossing violations within a three year period
- W61 Accumulation of three or more railroad-highway grade crossing violations in a three year period
- W70 Imminent hazard
- W72 Suspended pending final disposition
- W80 Failed employer-directed drug test
- W81 Refusal to submit to an employer-directed drug test
- W82 Failure to surrender license or permit

(Source: Amended at 40 Ill. Reg. 7372, effective May 2, 2016)

## ILLINOIS DEPARTMENT OF AGRICULTURE

## NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Motor Fuel and Petroleum Standards Act
- 2) Code Citation: 8 Ill. Adm. Code 850
- 3) Section Number: 850.60                      Emergency Action:  
Amendment
- 4) Statutory Authority: Motor Fuel and Petroleum Standards Act [815 ILCS 370/5.1(i)]
- 5) Effective Date of Rule: April 26, 2016
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: Emergency rule will expire at the end of the 150-day period.
- 7) Date Filed with the Index Department: April 26, 2016
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Concern was expressed by petroleum marketers regarding the cost of compliant fuels. Removing the May 1, 2016 expiration date will allow the vapor pressure exceptions to continue in effect until ASTM adopts such exceptions.
- 10) A Complete Description of the Subjects and Issues Involved: Gasoline blended with ethanol has a higher vapor pressure than gasoline alone. For gasoline-ethanol blends, Illinois adopts Section 2.1.2 of the Uniform Engine Fuels and Automotive Fuel Lubricants Regulations, NIST Handbook 130, which in turn adopts ASTM D4814. Although considered by ASTM several times, ASTM has not adopted vapor pressure exceptions to ASTM D4814. Handbook 130 therefore contains specific vapor pressure exceptions for gasoline-ethanol blends, but said exceptions expire on May 1, 2016. Without the vapor pressure exceptions, petroleum marketers are concerned with the cost of compliant fuel. The rule also adopts the latest version of Handbook 130 (2016).
- 11) Are there any other rulemakings pending on this Part? No
- 12) Statement of Statewide Policy Objective: Rulemaking would provide consistent standards and thereby provide certainty to petroleum marketers into Illinois markets.

ILLINOIS DEPARTMENT OF AGRICULTURE

NOTICE OF EMERGENCY AMENDMENT

- 13) Information and questions regarding this emergency rule shall be directed to:

Susan Baatz  
Illinois Department of Agriculture  
State Fairgrounds, P. O. Box 19281  
Springfield, IL 62794-9281

217/524-6905  
fax: 217/785-4505

The full text of the Emergency Amendment begins on the next page:

## ILLINOIS DEPARTMENT OF AGRICULTURE

## NOTICE OF EMERGENCY AMENDMENT

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER I: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER s: MOTOR FUELSPART 850  
MOTOR FUEL AND PETROLEUM STANDARDS ACT

## Section

850.10	Written Complaint Required
850.20	Access to Motor Fuels and Records
850.30	Responsibility for Standards of Quality
850.40	Administrative, Laboratory and Sampling Fees
850.50	Label on Motor Fuel Dispensing Device
850.60	ASTM Standards

EMERGENCY

AUTHORITY: Implementing and authorized by the Motor Fuel Standards Act [815 ILCS 370].

SOURCE: Emergency rules adopted at 8 Ill. Reg. 1455, effective January 12, 1984; adopted at 8 Ill. Reg. 5993, effective April 23, 1984; amended at 9 Ill. Reg. 12711, effective August 6, 1985; amended at 14 Ill. Reg. 5072, effective March 26, 1990; emergency amendment at 28 Ill. Reg. 16352, effective December 1, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1886, effective January 24, 2005; amended at 29 Ill. Reg. 5372, effective April 1, 2005; emergency amendment at 34 Ill. Reg. 301, effective December 21, 2009, for a maximum of 150 days; amended at 34 Ill. Reg. 6050, effective April 19, 2010; emergency amendment at 34 Ill. Reg. 10532, effective July 8, 2010, for a maximum of 150 days; amended at 34 Ill. Reg. 19468, effective December 3, 2010; emergency amendment at 35 Ill. Reg. 5615, effective March 17, 2011, for a maximum of 150 days; amended at 35 Ill. Reg. 11241, effective July 1, 2011; emergency amendment at 36 Ill. Reg. 7330, effective May 1, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 14685, effective September 24, 2012; amended at 37 Ill. Reg. 14004, effective September 16, 2013; emergency amendment at 40 Ill. Reg. 7478, effective April 26, 2016, for a maximum of 150 days.

**Section 850.60 ASTM Standards**EMERGENCY

- a) *The standards set forth in the Annual Book of (ASTM) American Society for Testing and Materials Section 5, Volumes 05.01, 05.02, 05.03, 05.04 and 05.05*

## ILLINOIS DEPARTMENT OF AGRICULTURE

## NOTICE OF EMERGENCY AMENDMENT

*and supplements thereto, and revisions thereof are adopted unless modified or rejected by a regulation adopted by the Department. [815 ILCS 370/4]*

- b) The effective date for the lubricity requirement contained in Table 1 (Detailed Requirements for Diesel Fuel Oils) of D 975-04b is extended until October 1, 2005.
- c) The quality of gasoline-~~ethanol~~~~oxygenate~~ blends sold or offered for sale in this State shall meet the standards set forth in Section 2.1.2 of the Uniform Engine Fuels and Automotive Lubricants Regulations as provided ~~in under the~~ National Institute of Standards and Technology Handbook 130, ~~2016~~~~2013~~ edition, as adopted by the 100<sup>th</sup> National Conference on Weights and Measures November 2015, <http://www.nist.gov/pml/wmd/pubs/upload/hb130-2016-wfinal3.pdf>. Notwithstanding the other provisions of this subsection, the Department expressly rejects the May 1, 2016 expiration of the vapor pressure exceptions in Section 2.1.2 of Handbook 130. Therefore, the vapor pressure exceptions in Section 2.1.2 of Handbook 130 shall remain in effect until ASTM incorporates such exceptions into ASTM D4814~~NIST Weights and Measures Division, 100 Bureau Drive, Stop 2600, Gaithersburg MD 20899-2600, <http://www.nist.gov/pml/wmd/pubs/hb13013.cfm>.~~ These standards do not include any later amendments or editions of NIST Handbook 130.

(Source: Amended by emergency rulemaking at 40 Ill. Reg. 7478, effective April 26, 2016, for a maximum of 150 days)

## ILLINOIS RACING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Entries, Subscriptions, and Declarations
- 2) Code Citation: 11 Ill. Adm. Code 1413
- 3) 

<u>Section Numbers:</u>	<u>Emergency Actions:</u>
1413.130	Repealed
1413.131	New Section
1413.138	Repealed
1413.139	New Section
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Rules: May 1, 2016
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which they are to expire: The emergency rules will expire at the end of the 150-day period, or upon adoption of permanent rules, whichever comes first.
- 7) Date Filed with the Index Department: April 29, 2016
- 8) A copy of the emergency rules, including any material incorporated by reference, is on file in the Illinois Racing Board's central office and is available for public inspection.
- 9) Reason for Emergency: An agreement dated April 14, 2016 between Arlington Park and the Illinois Thoroughbred Horsemen's Association adds two new Sections to the Illinois Administrative Code, 1413.131 and 1413.139. The agreement also repeals Sections 1413.130 and 1413.138. Arlington Park begins live racing on May 6, 2016 and if an immediate impact is to be realized by Arlington Park, emergency rules are necessary.
- 10) A Complete Description of the Subjects and Issues Involved: Section 1413.131(a), expiring on June 30, 2021, states that all non-claiming races (with the exception of maiden races) and claiming races with a claiming value of \$20,000 or more, having eight or more separate interests must be carded and run. The following races must be carded and run with seven or more betting interests: Illinois maiden special weights, Illinois claiming \$20,000 and above, Illinois allowance "one other than" or "other than," and non-winners of "two other than". Illinois conceived and/or foaled stake races must be carded and run with six or more betting interests. If scratches reduce the number of interests in any race to less than six, the association may run the race as a non-betting race and card and run a substitute race for wagering purposes.

## ILLINOIS RACING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

Section 1413.139(a), expiring on June 30, 2021, states that whenever a posted race is cancelled, the Racing Secretary will first use the substitute races listed in the condition book and then use the extra races, except for Illinois bred races, where priority goes to the next listed Illinois bred race and then to an Illinois bred extra race.

Sections 1413.131 and 1413.139 also include the re-instatement of the current rules beginning July 1, 2021. Sections 1413.130 and 1413.138 will be permanently repealed.

- 11) Are there any rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citation:</u>
1413.130	Repealed	40 Ill. Reg. 2907, February 16, 2016
1413.138	Repealed	40 Ill. Reg. 2907, February 16, 2016

- 12) Statement of Statewide Policy Objective: No local governmental units will be required to increase expenditures.

- 13) Information and questions regarding these emergency rules shall be directed to:

Mickey Ezzo  
Illinois Racing Board  
100 West Randolph  
Suite 5-700  
Chicago IL 60601

312/814-5017  
mickey.ezzo@illinois.gov

The full text of the Emergency Amendments begins on the next page:

## ILLINOIS RACING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING  
SUBTITLE B: HORSE RACING  
CHAPTER I: ILLINOIS RACING BOARD  
SUBCHAPTER g: RULES AND REGULATIONS OF HORSE RACING  
(THOROUGHBRED)

PART 1413  
ENTRIES, SUBSCRIPTIONS, AND DECLARATIONS

## Section

- 1413.10 Registration with Jockey Club
- 1413.20 Registration Rules
- 1413.30 Eligibility
- 1413.40 How Entries are Made
- 1413.42 Number of Entries
- 1413.44 48- or 72-Hour Entries
- 1413.46 Also Eligibles Under 48- or 72-Hour Rule
- 1413.48 Uncoupled Entries (Repealed)
- 1413.50 Racing Secretary Receives Entries
- 1413.60 Supervision of Entries
- 1413.70 When Entries Close
- 1413.75 Limitation on Purse Increases or Reductions
- 1413.80 Closing in Absence of Conditions
- 1413.90 Entry by Telegraph
- 1413.100 List of Entries
- 1413.110 Limitations on Entries
- 1413.114 Uncoupled Entries
- 1413.118 Further Definition of Coupling (Repealed)
- 1413.120 Riders Designated
- 1413.130 Carding Purse and Handicap Races ([Repealed](#))

EMERGENCY

- [1413.131 Carding Purse and Handicap Races](#)

EMERGENCY

- 1413.134 Race Fails to Fill
- 1413.138 Substitute and Extra Races ([Repealed](#))

EMERGENCY

- [1413.139 Substitute and Extra Races](#)

EMERGENCY

- 1413.140 Right to Declare Out

## ILLINOIS RACING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

1413.150	Number of Entries
1413.160	Fee to Enter
1413.170	Refunds
1413.180	Error in Entry
1413.190	Irrevocable Declaration
1413.200	Notice of Declaration
1413.210	Entry of Unfit Horse
1413.220	Refusal for Inconsistency
1413.230	Horse Ineligible
1413.240	Who May Enter
1413.250	Medical Reasons for Ineligibility
1413.260	Sweepstakes Entries
1413.265	Receipt for Nomination
1413.270	Previous Engagements
1413.280	Transfer of Engagements
1413.290	Transfer of Sweepstakes Engagements
1413.300	Jockey Club Certificates
1413.305	Transfer of Jockey Club Certificate
1413.310	Number of Races in a Day

**AUTHORITY:** Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

**SOURCE:** Published in Rules and Regulations of Horse Racing (original date not cited in publication); passed July 11, 1972; amended April 11, 1974, filed and effective April 30, 1974; passed June 11, 1974; amended July 12, 1974, filed July 22, 1974; amended August 13, 1974, filed August 19, 1974; amended August 15, 1975, filed August 20, 1975; amended September 19, 1975, filed October 2, 1975; amended June 19, 1976; amended July 16, 1976, filed July 23, 1976; amended August 21, 1976, filed August 30, 1976; amended April 26, 1977, filed May 6, 1977; amended at 4 Ill. Reg. 9, p. 251, effective February 20, 1980; amended at 5 Ill. Reg. 8911, effective August 25, 1981; codified at 5 Ill. Reg. 10981; amended at 15 Ill. Reg. 2730, effective February 5, 1991; amended at 17 Ill. Reg. 1628, effective January 26, 1993; amended at 17 Ill. Reg. 21848, effective December 3, 1993; amended at 18 Ill. Reg. 11612, effective July 7, 1994; amended at 18 Ill. Reg. 17749, effective November 28, 1994; amended at 24 Ill. Reg. 7394, effective May 1, 2000; amended at 24 Ill. Reg. 12725, effective August 1, 2000; amended at 25 Ill. Reg. 178, effective January 1, 2001; amended at 25 Ill. Reg. 15608, effective December 1, 2001; amended at 26 Ill. Reg. 12367, effective August 1, 2002; amended at 31 Ill. Reg. 8530, effective June 1, 2007; amended at 32 Ill. Reg. 10165, effective July 1, 2008; emergency amendment at 35 Ill. Reg. 6605, effective April 4, 2011, for a maximum of 150 days; amended at

## ILLINOIS RACING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

35 Ill. Reg. 13910, effective July 28, 2011; amended at 36 Ill. Reg. 16344, effective November 1, 2012; emergency amendment at 39 Ill. Reg. 3435, effective February 20, 2015, for a maximum of 150 days; emergency amendment at 39 Ill. Reg. 10465, effective July 2, 2015 through September 30, 2015; amended at 39 Ill. Reg. 10636, effective July 17, 2015; emergency amendment at 40 Ill. Reg. 7482, effective May 1, 2016, for a maximum of 150 days.

**Section 1413.130 Carding Purse and Handicap Races (Repealed)**  
**EMERGENCY**

~~All non-claiming races (with the exception of maiden races) and claiming races with a claiming value of \$20,000 or more, having six or more separate interests must be carded and run. However, if scratches reduce the number of interests in such a race to less than six, the association may run the race as a betless exhibition and card and run a substitute race for wagering purposes.~~

(Source: Repealed by emergency rulemaking at 40 Ill. Reg. 7482, effective May 1, 2016, for a maximum of 150 days)

**Section 1413.131 Carding Purse and Handicap Races**  
**EMERGENCY**

- a) On or before June 30, 2021, except as otherwise provided in subsection (a)(1), all non-claiming races (with the exception of maiden races) and claiming races with a claiming value of \$20,000 or more, having eight or more separate interests must be carded and run.
- 1) Exceptions
- A) The following races must be carded and run with seven or more betting interests:
- i) Illinois maiden special weights;
- ii) Illinois claiming races \$20,000 and above;
- iii) Illinois allowance "one other than" or "other than" and "non-winners of two other than".

## ILLINOIS RACING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

- B) Illinois conceived and/or foaled stake races must be carded and run with six or more betting interests. If scratches reduce the number of interests in any race to less than six, the association may run the race as a non-wagering exhibition and card and run a substitute race for wagering purposes.
- b) Beginning July 1, 2021, the track shall card races pursuant to this subsection. All non-claiming races (including maiden special weights, but with the exception of other maiden races) and claiming races with a claiming value of \$20,000 or more having six or more separate interests must be carded and run. However, if scratches reduce the number of interests in such a race to less than six, the association may run the race as a non-wagering exhibition and card and run a substitute race for wagering purposes.

(Source: Added by emergency rulemaking at 40 Ill. Reg. 7482, effective May 1, 2016, for a maximum of 150 days)

**Section 1413.138 Substitute and Extra Races (Repealed)**

- ~~a) Whenever a posted race is cancelled, the Racing Secretary shall first use the substitute races in the order listed in the Condition Book and then use the extra races in the order listed, except:~~
- ~~1) when a feature or handicap race fails to fill the extra race that can be used as a feature race shall take precedence over the other substitute and extra races, or~~
  - ~~2) when an Illinois conceived and foaled or an Illinois foaled race fails to fill, the substitute Illinois conceived and foaled or Illinois foaled race shall be scheduled if possible, or~~
  - ~~3) when a posted Illinois conceived and foaled or an Illinois foaled race fills, the substitute or extra Illinois race need not be considered in making up other cancelled races, or~~
  - ~~4) when a posted race is split, or~~
  - ~~5) when a substitute or extra race is to be used in the program as a race upon which trifecta wagering is offered.~~

## ILLINOIS RACING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

- b) ~~Nothing contained herein shall be deemed an exception to or modification of Rule B 9.6 (11 Ill. Adm. Code 409.60).~~

(Source: Repealed by emergency rulemaking at 40 Ill. Reg. 7482, effective May 1, 2016, for a maximum of 150 days)

**Section 1413.139 Substitute and Extra Races**  
**EMERGENCY**

- a) On or before June 30, 2021, whenever a posted race is cancelled, the Racing Secretary will first use the substitute races as listed in the Condition Book and then use the extra races, except for Illinois bred races, for which priority goes to the next listed Illinois bred race and then to an Illinois bred extra race.
- b) Beginning July 1, 2021, the track shall card races pursuant to this subsection. Whenever a posted race is cancelled, the Racing Secretary shall first use the substitute races in the order listed in the Condition Book and then use the extra races in the order listed, except:
- 1) when a feature or handicap race fails to fill, the extra race that can be used as a feature race shall take precedence over the other substitute and extra races;
  - 2) when an Illinois conceived and foaled or an Illinois foaled race fails to fill, the substitute Illinois conceived and foaled or Illinois foaled race shall be scheduled if possible;
  - 3) when a posted Illinois conceived and foaled or an Illinois foaled race fills, the substitute or extra Illinois race need not be considered in making up other cancelled races;
  - 4) when a posted race is split;
  - 5) when a substitute or extra race is to be used in the program as a race upon which trifecta wagering is offered.

(Source: Added by emergency rulemaking at 40 Ill. Reg. 7482, effective May 1, 2016, for a maximum of 150 days)

## DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

## NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENT

- 1) Heading of the Part: Residential Mortgage License Act of 1987
- 2) Code Citation: 38 Ill. Adm. Code 1050
- 3) Section Number:                      Proposed Action:  
1050.370                                      Amendment
- 4) Date Notice of Proposed Amendments published in the *Illinois Register*: 40 Ill. Reg. 5243; April 1, 2016
- 5) Reason for the Withdrawal: The Department has determined that the proposed rule necessitates further consideration in order to adequately assess the impact of changes to administration of testing in the residential mortgage licensing space.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of April 26, 2016 through May 2, 2016. The rulemakings are scheduled for review at the Committee's May 10, 2016 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
6/8/16	<u>Pollution Control Board</u> , General Rules (35 Ill. Adm. Code 101)	1/4/16 40 Ill. Reg.52	5/10/16
6/8/16	<u>Pollution Control Board</u> , Regulatory and Information Hearings and Proceedings (35 Ill. Adm. Code 102)	1/4/16 40 Ill. Reg. 95	5/10/16
6/8/16	<u>Pollution Control Board</u> , Enforcement (35 Ill. Adm. Code 103)	1/4/16 40 Ill. Reg. 107	5/10/16
6/8/16	<u>Pollution Control Board</u> , Regulatory Relief Mechanisms (35 Ill. Adm. Code 114)	1/4/16 40 Ill. Reg. 114	5/10/16
6/8/16	<u>Pollution Control Board</u> , Appeals of Final Decisions of State Agencies (35 Ill. Adm. Code 105)	1/4/16 40 Ill. Reg. 121	5/10/16
6/8/16	<u>Pollution Control Board</u> , Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106)	1/4/16 40 Ill. Reg. 127	5/10/16

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6/8/16	<u>Pollution Control Board</u> , Petition to review Pollution Control Facility Siting Decisions (35 Ill. Adm. Code 107)	1/4/16 40 Ill. Reg. 138	5/10/16
6/8/16	<u>Pollution Control Board</u> , Administrative Citations (35 Ill. Adm. Code 108)	1/4/16 40 Ill. Reg. 144	5/10/16
6/8/16	<u>Pollution Control Board</u> , Tax Certifications (35 Ill. Adm. Code 125)	1/4/16 40 Ill. Reg. 148	5/10/16
6/9/16	<u>Department of Public Health</u> , Food Service Sanitation Code (77 Ill. Adm. Code 750)	1/22/16 40 Ill. Reg. 1508	5/10/16
6/10/16	<u>Illinois Gaming Board</u> , Video Gaming (General) (11 Ill. Adm. Code 1800)	2/16/16 40 Ill. Reg. 2884	5/10/16
6/11/16	<u>Office of the State Fire Marshal</u> , School Inspections (41 Ill. Adm. Code 111)	2/19/16 40 Ill. Reg. 3165	5/10/16

## PROCLAMATIONS

**2016-129  
National Volunteer Week**

**WHEREAS**, service to others is a hallmark of the American character, and throughout our history citizens have stepped up to meet our challenges by volunteering in their communities; and,

**WHEREAS**, our communities need volunteering more than ever; and,

**WHEREAS**, Illinois is blessed with men and women who selflessly dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,

**WHEREAS**, last year, nearly 2.51 million Illinoisans gave back over 274.1 million hours to their communities; which led to over \$6.8 billion dollars in impact; and,

**WHEREAS**, more than 900,000 men and women across the nation, including more than 35,000 from Illinois, have taken the AmeriCorps pledge to "get things done for America" by becoming AmeriCorps Members since 1994; and,

**WHEREAS**, more than 12,000 Illinois seniors volunteer through Senior Corps; and,

**WHEREAS**, in Illinois, the Serve Illinois Commission on Volunteerism and Community Service strives to improve our communities by supporting volunteer and community service efforts throughout the state; and,

**WHEREAS**, in 1974, President Nixon established National Volunteer Week for the celebration of volunteers; and,

**WHEREAS**, President Obama has reaffirmed that April 10 through April 16 be known across the nation as National Volunteer Week; and,

**WHEREAS**, during National Volunteer Week, service projects and special events will take place throughout Illinois and across the national; and,

**WHEREAS**, the annual observance of National Volunteer Week sets aside an entire week dedicated to serving others in need and honor those who volunteer all year;

**THEREFORE**, I, Bruce Rauner, Governor of Illinois, do hereby proclaim April 10-16, 2016 as **National Volunteer Week** in Illinois, and encourage all citizens to promote the spirit of volunteerism in our families and communities across the state. To find a volunteer opportunity or

## PROCLAMATIONS

to learn more about how to recognize your volunteers, visit the Serve Illinois Commission website at [www.Serve.Illinois.gov](http://www.Serve.Illinois.gov) or call 800-592-9896.

Issued by the Governor April 19, 2016

Filed by the Secretary of State May 2, 2016

**2016-130****Brain Tumor Awareness Month**

**WHEREAS**, doctors diagnose brain tumors in more than 220,000 Americans across all ages, races, socio-economic statuses, and gender each year; and,

**WHEREAS**, malignant brain tumors are among the deadliest forms of cancer with just a 34 percent five-year relative survival rate, and are the leading cause of cancer-related deaths in children under the age of 14; and,

**WHEREAS**, nearly 3,350 people in Illinois will be diagnosed with a brain tumor and 552 will die from a brain tumor in 2016; and,

**WHEREAS**, Illinois is home to major facilities, such as the Northwestern Brain Tumor Institute, the University of Illinois Brain Tumor Center, and others that focus on research to find better treatments, a cure for brain tumors, and a higher quality of life for brain tumor patients; and,

**WHEREAS**, increased public awareness of brain tumors through advocacy and support for targeted research, as well as education about the impact on patients and their families, are critical to support and action for a cure;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 2016 as **Brain Tumor Awareness Month** in the State of Illinois.

Issued by the Governor April 21, 2016

Filed by the Secretary of State May 2, 2016

**2016-131****International Internal Audit Awareness Month**

**WHEREAS**, internal auditing is a vital part of strengthening organizations and protecting stakeholders of both the public and private sectors; and,

**WHEREAS**, internal auditing helps identify and manage an organization's risks and ensure policies, procedures, and controls are in place and working appropriately; and,

## PROCLAMATIONS

**WHEREAS**, it is an increasingly sophisticated and complex activity requiring specialized knowledge, training, and education; and,

**WHEREAS**, internal auditing is an established profession, with a globally recognized code of ethics and International Standards for the Professional Practice of Internal Auditing; and,

**WHEREAS**, the Institute of Internal Auditors, the internal audit profession's most widely recognized advocate, educator, and provider of standards, guidance, and certifications, celebrates its 75th anniversary in 2016; and,

**WHEREAS**, historically, the global internal audit profession promotes awareness about its value during the month of May each year; and,

**WHEREAS**, the contributions of internal auditors to the success of organizations and the global economy at large deserve our recognition and commendations;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim the month of May 2016 as **International Internal Audit Awareness Month** in Illinois, and extend greetings and best wishes to all observing International Internal Audit Awareness Month, and I congratulate the Institute of Internal Auditors on its 75th anniversary. I invite the citizens of Illinois to join me in recognizing professional internal auditors for their contribution to society.

Issued by the Governor April 21, 2016

Filed by the Secretary of State May 2, 2016

**2016-132**  
**Amateur Radio Week**

**WHEREAS**, amateur radio has historically played a significant role in developing world wide radio communications; and,

**WHEREAS**, amateur radio operators are instrumental in serving the United States of America and the State of Illinois, consistently providing behind-the-scenes support for emergency response and other critical needs; and,

**WHEREAS**, amateur radio provides excellent volunteer emergency communications for agencies including the National Weather Service, Illinois Emergency Management agencies, Illinois Department of Public Health, the American Red Cross, the Salvation Army, Central United States Earthquake Consortium, and others in times of natural disasters and other emergencies; and,

## PROCLAMATIONS

**WHEREAS**, Illinois has more than 20,000 Radio Amateurs who repeatedly donate their time, equipment, and services to help their communities; and,

**WHEREAS**, amateur radio operators act as trained weather spotters who report during severe weather events across Illinois, thereby assisting the National Weather Service with ground activity reports, which can save lives; and,

**WHEREAS**, amateur radio operators regularly assist with communications during times of tornado, ice storms, and flood emergencies, using their communications skills to help in reporting the weather events, to assist in shelter operations, and to be available during rescue and relief activities, thereby helping to keep the persons and property of all Illinois residents safe; and,

**WHEREAS**, by continuous learning and experimentation, amateur radio operators help to forward the science of electronics and radio-related communications; and,

**WHEREAS**, by example, teaching, and practical experience, including the opportunity to communicate with amateurs in space, amateur radio operators teach young people the opportunities available in radio and electronics; and,

**WHEREAS**, Illinois Radio Amateurs will continue to hone their communication skills by operating during the simulated emergency preparedness exercise known as "Field Day" on June 25-26, 2016;

**NOW, THEREFORE**, I, Bruce Rauner Governor of the State of Illinois, do hereby proclaim the week of June 19-26, 2016, as **Amateur Radio Week** in Illinois and encourage all citizens to join me in this worthy observance.

Issued by the Governor April 22, 2016

Filed by the Secretary of State May 2, 2016

**2016-133**  
**Building Safety Month**

**WHEREAS**, our state's continuing efforts to address the critical issues of safety, energy efficiency, water conservation, and sustainability in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound; and,

## PROCLAMATIONS

**WHEREAS**, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, laborers, and others in the construction industry—who work year-round to ensure the safe construction of buildings; and,

**WHEREAS**, these guardians develop and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, and play; and,

**WHEREAS**, the International Codes—the most widely adopted building safety, energy, and fire prevention codes in the nation, used by most cities, counties and states—include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wild fires, and earthquakes; and,

**WHEREAS**, Building Safety Month reminds the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient, and livable buildings; and,

**WHEREAS**, "Building Codes: Driving Growth through Innovation, Resilience and Safety" is the theme for this year's Building Safety Month and encourages all Americans to raise awareness of the importance of building safety; green and sustainable building; pool, spa, and hot tub safety; and new technologies in the construction industry; and,

**WHEREAS**, Building Safety Month 2016 encourages appropriate steps everyone can take to ensure that our interior environments are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies; and,

**WHEREAS**, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments and federal agencies in protecting lives and property;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 2016 as in Illinois, and encourage all citizens to join with their communities in participation in **Building Safety Month**.

Issued by the Governor April 22, 2016

Filed by the Secretary of State May 2, 2016

2016-134

**Chiari Malformation Awareness Month**

## PROCLAMATIONS

**WHEREAS**, Chiari Malformation is a serious neurological disorder affecting more than 300,000 people in the United States; and,

**WHEREAS**, Chiari Malformations (CMs) are defects in the cerebellum—the part of the brain that controls balance—that create pressure on the cerebellum and brain stem, blocking the flow of cerebral spinal fluid to and from the brain; and,

**WHEREAS**, this condition was first identified in the 1890's by Austrian pathologist Professor Hans Chiari, who categorized the malformation in order of its severity types: I, II, III, and IV; and,

**WHEREAS**, the cause of CMs are unknown, but scientists believe it is either a congenital condition caused by exposure to harmful substances during fetal development, or a genetic condition that sometimes appears in more than one member of a family; and,

**WHEREAS**, symptoms of CM usually appear during adolescence or early adulthood and can include severe head and neck pain, vertigo, muscle weakness, balance problems, blurred or double vision, difficulty swallowing, and sleep apnea; and,

**WHEREAS**, the National Institute of Neurological Disorders and Stroke, a component of the National Institutes of Health, is conducting research to find surgical solutions to CM and identify its cause to create improved treatment and prevention plans; and,

**WHEREAS**, on September 17, 2016, cities across America will hold a walk during the annual Conquer Chiari Walk Across America;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim September 2016 as **Chiari Malformation Awareness Month** in Illinois, to raise awareness of this neurological disorder, and in support of organizations working to improve the quality of life for those affected.

Issued by the Governor April 22, 2016

Filed by the Secretary of State May 2, 2016

**2016-135****Ehlers-Danlos Syndrome Awareness Month**

**WHEREAS**, Ehlers-Danlos Syndrome is a group of genetic disorders involving mutations in connective tissue impacting the body's joints, skin, and organs, and can lead to acute pain, excessive internal bleeding, shock, stroke, and premature death; and,

## PROCLAMATIONS

**WHEREAS**, there are six major types of Ehlers-Danlos Syndrome, and the disorder is estimated in 1 in 5,000-10,000 births worldwide; and,

**WHEREAS**, a network of worldwide support groups serve a great benefit to individuals with Ehlers-Danlos Syndrome by connecting individuals managing life with Ehlers-Danlos Syndrome and providing up-to-date information to the medical profession and public at large; and,

**WHEREAS**, there is a need for greater research into Ehlers-Danlos Syndrome to generate better understanding, new interventions, improved treatments, and a possible cure; and,

**WHEREAS**, there is no routine screening for Ehlers-Danlos Syndrome, so individuals must seek a diagnosis from a knowledgeable health care provider and individual symptoms must be evaluated and cared for appropriately; physical and occupational therapy evaluation and intervention may be required to address basic life tasks; and,

**WHEREAS**, early and accurate diagnosis can provide the opportunity to create life-saving emergency medical plans, ensure proper monitoring, and improve quality of life and support for Ehlers-Danlos Syndrome families; and,

**WHEREAS**, Ehlers-Danlos Syndrome is frequently misdiagnosed or undiagnosed, resulting in greater discomfort and disability for individuals and children, and improved knowledge can prevent premature and tragic deaths; and,

**WHEREAS**, increased knowledge of all types of Ehlers-Danlos Syndrome allows earlier and more effective management, a better quality of life, increased participation in society, and reduced disability, pain, and medical expense for Ehlers-Danlos Syndrome families; and,

**WHEREAS**, the Centers for Ehlers-Danlos Syndrome Alliance (C.E.D.S.A.) is dedicated to educating the public and members of the medical profession, as well as supporting research; and,

**WHEREAS**, C.E.D.S.A. has designated the month of May as Ehlers-Danlos Syndrome Awareness Month in memory of those who have died from the syndrome and to raise public awareness;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 2016 as **Ehlers-Danlos Syndrome Awareness Month** in Illinois.

Issued by the Governor April 22, 2016

Filed by the Secretary of State May 2, 2016

## PROCLAMATIONS

**Fallen Firefighter Memorial Day**

**WHEREAS**, the Illinois Firefighter Memorial honors the firefighters of Illinois who gave their lives in the line of duty, and to those who heroically serve with courage and pride; and,

**WHEREAS**, the Memorial stands on the lawn of the Illinois State Capitol, symbolizing our gratitude to the men and women who risk their lives every day to protect people and their property; and,

**WHEREAS**, at the site of the Memorial, final respects will be paid to the three firefighters who lost their lives in the line of duty in 2015, and one firefighter who lost his life in 2012; and,

**WHEREAS**, the Fire Fighting Medal of Honor Committee offers every fire department in Illinois the opportunity to be part of this honored event; and,

**WHEREAS**, immediately following the ceremony, the Medal of Honor Committee will honor some of the bravest and most heroic firefighters in Illinois during the 23rd Annual Fire Fighting Medal of Honor Awards Ceremony at the Prairie Capital Convention Center; and,

**WHEREAS**, members, families, and friends of the Illinois fire service are invited and encouraged to attend the Fallen Firefighter Memorial Service on Tuesday, May 10, 2016;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 10, 2016, as **Fallen Firefighter Memorial Day** in Illinois.

Issued by the Governor April 22, 2016

Filed by the Secretary of State May 2, 2016

**2016-137****Great Outdoors Month**

**WHEREAS**, Illinois is blessed with outstanding opportunities for safe and healthy fun in the great outdoors, enjoying our natural splendors in the company of family and friends; and,

**WHEREAS**, children spend an average of 10 hours a day in front of a screen, and outdoor activity is considered by many leading health organizations as a remedy to the adverse effects of inactivity; and,

**WHEREAS**, Great Outdoors Month events including National Trails Day, National Get Outdoors Day, the Great Outdoors Month National Day of Service, the Great American

## PROCLAMATIONS

Campout, and Kids to Parks Day to connect citizens of all ages to healthy, fun outdoor activities; and,

**WHEREAS**, other events during Great Outdoors Month such as National Fishing and Boating Week and National Marina Day provide all of us, especially our children, with exciting opportunities for recreation on the great waters of our state; and,

**WHEREAS**, Great Outdoors Month promotes activities including biking, swimming, hiking, paddling, fishing, hunting, and boating, and helps our children enjoy the physical, mental, and educational benefits of outdoor recreation; and,

**WHEREAS**, enjoyment of the great outdoors allows us to celebrate the commitment of our state to conserve and protect our air, our water, our wildlife, and our lands and to contribute to conservation efforts; and,

**WHEREAS**, the economic impact of outdoor recreation is both large and growing nationally, exceeding \$650 billion in annual expenditures; and,

**WHEREAS**, in our state, outdoor recreation generates an estimated at \$35.9 billion and supports approximately 325,000 jobs; and,

**WHEREAS**, many of our important cultural and historic events and traditions are linked to places in our state which are part of national, state, and local park systems; and,

**WHEREAS**, Great Outdoors Month allows us to celebrate the partnership of federal, state, and local agencies, the recreation and tourism industry, and recreationists, combining to makes outdoor recreation opportunities available, and create new features such as improved trails through the Recreational Trails Program and the Land and Water Conservation Fund;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim June 2016 as **Great Outdoors Month** in Illinois and urge all citizens and visitors from other states and countries to explore, enjoy, protect, and conserve Illinois' great outdoors.

Issued by the Governor April 22, 2016

Filed by the Secretary of State May 2, 2016

**2016-138****National Small Business Week**

**WHEREAS**, America's progress has been driven by pioneers who think big, take risks, and work hard; and,

## PROCLAMATIONS

**WHEREAS**, from the storefront shops that anchor Main Street to the high-tech startups that keep America on the cutting edge, small businesses are the backbone of our economy and the cornerstone of our nation's promise; and,

**WHEREAS**, small business owners and Main Street businesses have energy and passion for what they do; and,

**WHEREAS**, when we support small business, we create jobs and local communities preserve their unique culture; and,

**WHEREAS**, because this country's 28 million small businesses create nearly two out of three jobs in our economy, we cannot resolve ourselves to create jobs and spur economic growth in America without discussing ways to support our entrepreneurs; and,

**WHEREAS**, the President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs through the U.S. Small Business Administration and other government agencies; and,

**WHEREAS**, the State of Illinois supports and joins in this national effort to help America's small businesses do what they do best – grow their business, create jobs, and ensure that our communities remain as vibrant tomorrow as they are today;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 1-7, 2016, as **National Small Business Week** in the State of Illinois.

Issued by the Governor April 22, 2016

Filed by the Secretary of State May 2, 2016

**2016-139****X & Y Chromosome Variation Awareness Month**

**WHEREAS**, X & Y chromosome disorders are common but frequently undiagnosed genetic conditions that differ from the normal sex chromosome pairings of XX for females and XY for males. Due to a chromosome mistake that produces additional X or Y chromosomes to the normal complement of 46, the resulting total of 47 or more chromosomes may impact a child's developing central nervous system and his or her body condition; and,

**WHEREAS**, 1 in 500 children in the United States have X & Y chromosome variations that cause complex learning disabilities, which include language impairment, motor planning deficits, reading dysfunction, and attention and behavioral disorders; and,

## PROCLAMATIONS

**WHEREAS**, 10 babies born each day have an X & Y chromosome variation, but only 1 in 3 will ever be diagnosed and receive the treatment he or she needs; and,

**WHEREAS**, although healthcare professionals are taught that genetic anomalies can impact a child's development, more information about X & Y chromosome variations is needed; and,

**WHEREAS**, widespread misinformation about X & Y chromosome variations may cause unnecessary distress to families dealing with such a diagnosis; and,

**WHEREAS**, with greater national awareness about the existence of X & Y chromosome variations, children with these disorders can be diagnosed and provided with the syndrome-specific medical care and academic intervention they need; and,

**WHEREAS**, X & Y Chromosome Variation Awareness Month will increase public awareness and cooperative efforts among organizations and professionals with an interest in addressing the numerous implications that living with X & Y chromosome variations can cause individuals and their families without proper diagnosis and treatment;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 2016 as **X & Y Chromosome Variation Awareness Month** in Illinois.

Issued by the Governor April 22, 2016

Filed by the Secretary of State May 2, 2016

**2016-140****Better Hearing and Speech Month**

**WHEREAS**, founded in 1960, the Illinois Speech-Language-Hearing Association (ISHA) is a non-profit organization representing more than 4,000 licensed professionals with advanced degrees in speech-language pathology and audiology; and,

**WHEREAS**, specializing in normal and disordered human communication, speech-language pathologists and audiologists are professionals who serve people with communicative disorders; and,

**WHEREAS**, speech-language pathologists are specialists trained to identify, evaluate, and remediate communication or swallowing problems, and to determine the best treatment solutions; and,

## PROCLAMATIONS

**WHEREAS**, speech-language pathologists work with people of all ages, from infants to the elderly, providing treatment to improve language, voice, stuttering, articulation, memory, literacy, and swallowing; and,

**WHEREAS**, audiologists specialize in the prevention, identification, and evaluation of hearing and balance disorders, and the habilitation/rehabilitation of individuals with hearing impairment; and,

**WHEREAS**, ISHA has three main goals: to make the public aware of services available to persons with speech, language, and hearing disorders; to advocate for quality hearing services throughout the state; and to support the scientific study of human communication and its disorders; and,

**WHEREAS**, approximately 46 million Americans are affected by communicative disorders, including 28 million individuals with hearing loss and 16 million individuals with a speech and/or language disorder; and,

**WHEREAS**, 45 percent of individuals reported to have a chronic speech and/or language disorder are under the age of 18; and,

**WHEREAS**, speech-language pathologists and audiologists serve these individuals in a wide variety of settings, including hospitals, nursing homes/extended care facilities, rehabilitation centers, private practice home health agencies, parent-infant centers, pre-schools, public and private schools, college and university speech-language and hearing clinics, government facilities, and research laboratories;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 2016 as **Better Hearing and Speech Month** in Illinois, to raise awareness of the contributions of speech-language pathologists and audiologists and the help that is available to those individuals with a speech, language, or hearing problem.

Issued by the Governor April 25, 2016

Filed by the Secretary of State May 2, 2016

**2016-141**

**Children's Mental Health Awareness Day**

**WHEREAS**, the mental and emotional well-being of all Illinois children is vital to the future of the State of Illinois; and,

## PROCLAMATIONS

**WHEREAS**, it is important to recognize that social and emotional well-being, behavioral disorders, and substance abuse are all treatable health issues; and,

**WHEREAS**, an estimated 20 percent of children and adolescents in the United States have a diagnosable mental illness, yet only a fraction of those children receive treatment; and,

**WHEREAS**, treating mental health illnesses is just as important as treating physical health illnesses; and,

**WHEREAS**, the Illinois Department of Human Services, Division of Mental Health, Child and Adolescent Services, through its collaborative relationships, continue to develop a system of care infrastructure to support the unique needs of children, adolescents, and their families when a mental health issue is diagnosed, to ensure success at home, in school, and in the community; and,

**WHEREAS**, this year's National Children's Mental Health Awareness Day theme is "Finding Help. Finding Hope.";

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 5, 2016, as **Children's Mental Health Awareness Day** in Illinois, and encourage all citizens to recognize private and public child mental health service agencies providing family driven, youth guided, and culturally and linguistically appropriate services and support.

Issued by the Governor April 25, 2016

Filed by the Secretary of State May 2, 2016

**2016-142****International Cri Du Chat Syndrome Awareness Week**

**WHEREAS**, the 5p- Society of North America, along with support organizations from around the world, designates May 1-7, 2016, as International Cri Du Chat Syndrome Awareness Week, and May 5 as Cri du Chat Syndrome Day; and,

**WHEREAS**, each year in the United States alone, approximately 50 to 60 children are born with 5p- (five p minus) Syndrome, also known as Cat Cry Syndrome or Cri du Chat Syndrome; and,

**WHEREAS**, some common characteristics of Cri du Chat Syndrome at birth are a high-pitched cry, low birth weight, poor muscle tone, microcephaly, and potential medical complications. "5p-" is a term used by geneticists to describe a portion of chromosome number five that is missing in these individuals; and,

## PROCLAMATIONS

**WHEREAS**, one of the goals of Cri Du Chat Syndrome Awareness Week is to end the outdated misinformation given to families when their child is diagnosed with Cri Du Chat; and,

**WHEREAS**, children born with this rare genetic defect will most likely require ongoing support from a team of parents, therapists, and medical and educational professionals to help the child achieve his or her maximum potential; and,

**WHEREAS**, many families in Illinois have family members with Cri Du Chat Syndrome, and join the more than 1,000 families across the nation that are part of the 5p- Society of North America;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 1-7, 2016, as **International Cri Du Chat Syndrome Awareness Week** in Illinois, to encourage and facilitate communication among families with a child with 5p- Syndrome, and to spread awareness and education of the syndrome to these families and their service providers.

Issued by the Governor April 25, 2016

Filed by the Secretary of State May 2, 2016

**2016-143****Motorcycle Awareness Month**

**WHEREAS**, safety is the highest priority for highways and streets throughout the State; and,

**WHEREAS**, the great State of Illinois is proud to be a national leader in motorcycle safety, education and awareness; and,

**WHEREAS**, motorcycles are a common and economical means of transportation that reduce fuel consumption and road wear, and contribute in a significant way to the relief of traffic and parking congestion; and,

**WHEREAS**, it is especially meaningful that the citizens of our State be aware of motorcycles on the roadways and recognize the importance of motorcycle safety; and,

**WHEREAS**, the members of A.B.A.T.E. of Illinois, Inc. (A Brotherhood Aimed Toward Education) continually promote motorcycle safety, education, and awareness in high school drivers' education programs and to the general public in our State, presenting motorcycle awareness programs to more than 150,000 participants in Illinois during the past five years; and,

## PROCLAMATIONS

**WHEREAS**, A.B.A.T.E. of Illinois, Inc. and the Illinois Department of Transportation (IDOT) work hand in hand on promoting motorcycle safety; and,

**WHEREAS**, all motorcyclists should join A.B.A.T.E. of Illinois, Inc. in actively promoting the safe operation of motorcycles as well as promoting motorcycle safety, education, awareness, and respect of the citizens of our State; and,

**WHEREAS**, the motorcyclists of Illinois have contributed extensive volunteerism and money to national and community charitable organizations; and,

**WHEREAS**, during the month of May, all roadway users should unite in the safe sharing of roadways throughout the great State of Illinois;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim the month of May 2016 as **Motorcycle Awareness Month** in Illinois, in recognition of 30 years of A.B.A.T.E. of Illinois, Inc., and more than 650,000 registered motorcyclists statewide, and in recognition of the continued role Illinois serves as a leader in motorcycle safety, education and awareness.

Issued by the Governor April 25, 2016

Filed by the Secretary of State May 2, 2016

**2016-144****Huntington's Disease Awareness Week**

**WHEREAS**, Huntington's disease is a progressive degenerative neurological disease, with symptoms typically developing between the ages of 30 to 50, and causes total physical and mental deterioration over a 10 to 25 year period; and,

**WHEREAS**, Huntington's disease affects approximately 30,000 patients, and there are more than 200,000 genetically at-risk individuals in the United States; and,

**WHEREAS**, since the discovery of the gene that causes Huntington's disease in 1939, the pace of research has accelerated; and,

**WHEREAS**, although no effective treatment or cure currently exists, scientists and researchers are hopeful that breakthroughs will be forthcoming; and,

**WHEREAS**, researchers are conducting important research projects involving Huntington's disease; and,

## PROCLAMATIONS

**WHEREAS**, the Huntington's Disease Society of America (HDSA) dedicates its tireless efforts to advocating for families, educating the public, and providing support and services to affected families living with this disease; and,

**WHEREAS**, on May 22, 2016, the Illinois Chapter of HDSA will hold its annual TEAM HOPE Walk to raise funds for researching a cure and treatment for Huntington's disease; and,

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 15-22, 2016, as **Huntington's Disease Awareness Week** in Illinois, to raise awareness of this devastating disease and in support of the efforts of the Illinois Chapter of the Huntington's Disease Society of America.

Issued by the Governor April 26, 2016

Filed by the Secretary of State May 2, 2016

**2016-145****Illinois Speed Awareness Day**

**WHEREAS**, safe driving and public awareness of the dangers associated with speeding will result in fewer traffic crashes, fewer injuries, and fewer fatalities; and,

**WHEREAS**, the total number of crashes in Illinois involving motor vehicles in 2014 was 296,049; and,

**WHEREAS**, there were 84,652 persons injured and 924 persons killed in Illinois motor vehicles crashes in 2014, and 1,013 killed in 2015; and,

**WHEREAS**, speeding accounted for 32.4 percent of the overall crashes, including 37.4 percent of the injury crashes, and 34.9 percent of the fatal crashes in Illinois in 2014; and,

**WHEREAS**, the total estimated cost of crashes in Illinois for 2014 was \$5.8 billion; and,

**WHEREAS**, the Illinois Association of Chiefs of Police, Illinois Truck Enforcement Association, Families Against Chronic Excessive Speed 4 (FACES4), and Illinois' local, county, and state law enforcement first responders commit to partnering together in an effort to reduce vehicle crashes and resulting injuries and fatalities, by educating Illinois motorists on the aspects of speed awareness, through enforcement of applicable state laws and by supporting Illinois Speed Awareness Day;

## PROCLAMATIONS

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim July 27, 2016, as **Illinois Speed Awareness Day**, and encourage all citizens to recognize the importance of speed awareness and to drive safely.

Issued by the Governor April 26, 2016  
Filed by the Secretary of State May 2, 2016

**2016-146**  
**Municipal Clerks Week**

**WHEREAS**, the Office of the Municipal Clerk, a time honored and vital part of local government, exists throughout the world; and,

**WHEREAS**, the Office of the Municipal Clerk is the oldest among public servants; and,

**WHEREAS**, the Office of the Municipal Clerk provides the professional link between citizens, local governing bodies and agencies of government at other levels; and,

**WHEREAS**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and,

**WHEREAS**, the Municipal Clerk serves as the information center on functions of local government and community; and,

**WHEREAS**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their regional, state and international professional organizations; and,

**WHEREAS**, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 1–7, 2016, as **Municipal Clerks Week** in Illinois, and further extend appreciation to our Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Issued by the Governor April 26, 2016  
Filed by the Secretary of State May 2, 2016

**2016-147**

## PROCLAMATIONS

**Nicor Gas Volunteer Day**

**WHEREAS**, Nicor Gas serves more than two million customers in northern Illinois and is a valued corporate citizen; and,

**WHEREAS**, Nicor Gas demonstrates its generosity of spirit through partnerships, grants, and volunteer activities that contribute to the well-being of the communities it serves; and,

**WHEREAS**, Nicor Gas employees give generously of their own time, energy, and talents to help neighbors in need and make northern Illinois an even better place to live; and,

**WHEREAS**, May 21, 2016, marks the 20th annual Nicor Gas Volunteer Day, a long-running volunteer effort done in the spirit of civic commitment that is held each year on the third Saturday in May; and,

**WHEREAS**, Nicor Gas volunteers have completed more than 300 community projects and donated thousands of volunteer hours since 1996; and,

**WHEREAS**, the Office of the Governor promotes a spirit of corporate responsibility and civic improvement, and recognizes the hard work, dedication, and service of Nicor Gas volunteers in Illinois;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 21, 2016, as **Nicor Gas Volunteer Day** in Illinois.

Issued by the Governor April 26, 2016

Filed by the Secretary of State May 2, 2016

**2016-148****Operation Gravestone Day**

**WHEREAS**, acid rain and localized pollution, along with the elements of nature, combined to greatly increase the speed at which many landmarks and gravestones deteriorate; and,

**WHEREAS**, the students of Pontiac Township High School and Operation Gravestone endeavor to study the effects of acid rain, preserve historic grave markers, and honor those buried long ago; and,

**WHEREAS**, it is important to preserve the memory and local history of Civil War and other war veterans for future generations; and,

## PROCLAMATIONS

**WHEREAS**, the efforts of the school will encourage participation and engagement in historical studies that connect current students to our collective past; and,

**WHEREAS**, maintaining the history of veterans and community members is important, both for students and future generations of the community at large; and,

**WHEREAS**, the students of Pontiac Township High School and Operation Gravestone began the undertaking of researching, restoring, and protecting the history of those who have gone before us globally;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 11, 2016, as **Operation Gravestone Day** in Illinois, and urge all citizens to recognize the need to study and replace gravestones deteriorated by the effects of acid rain in order to conserve the history of our world.

Issued by the Governor April 26, 2016

Filed by the Secretary of State May 2, 2016

**2016-149****Asian Pacific American Heritage Month**

**WHEREAS**, in June 1977, Congressmen Frank Horton of New York and Norman Y. Mineta of California introduced a House resolution calling upon the President to proclaim the first 10 days of May as Asian/Pacific Heritage Week; and,

**WHEREAS**, the following month, Senators Daniel Inouye and Spark Matsunaga introduced a similar bill in the Senate, both pieces of legislation were passed; and,

**WHEREAS**, on October 5, 1978, President Jimmy Carter signed a joint resolution designating the annual celebration; and,

**WHEREAS**, in May 1990, the holiday was further expanded when President George H.W. Bush designated May to be Asian Pacific American Heritage Month; and,

**WHEREAS**, May was chosen to commemorate the immigration of the first Japanese immigrants to the United States in 1843; and,

**WHEREAS**, many immigrants of Asian heritage came to the United States during the nineteenth century to work in the transportation, mining, and other industries; and,

## PROCLAMATIONS

**WHEREAS**, in 1869, laboring under very difficult conditions, Asian immigrants helped construct the transcontinental railroad, which vastly expanded economic growth and development across the country; and,

**WHEREAS**, Asian Pacific American Heritage Month is celebrated annually with community festivals, government-sponsored events, cultural programming, and educational activities for students; and,

**WHEREAS**, Asian Pacific Americans have made valuable contributions to the history and growth of the United States and have achieved at a high level in a variety of disciplines, including government, business, science, technology, and the arts; and,

**WHEREAS**, Illinois' Asian American residents first appeared in the 1870 census, though the Chinese lived here long before then. In the 1890s, Japanese immigrants arrived, followed by Filipinos, Koreans and Indians; and,

**WHEREAS**, Illinois is now home to people with roots in Pakistan, Vietnam, Cambodia, Laos, Thailand, Tibet, Nepal, Taiwan, Burma (Myanmar), Indonesia, Sri Lanka, Bhutan, Bangladesh, and Malaysia; and,

**WHEREAS**, people of Asian heritage now comprise more than five percent of our state's population, and are its fastest-growing demographic, and it is critically important that we recognize their accomplishments;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 2016 as **Asian Pacific American Heritage Month** in Illinois, in recognition of the contributions made to our economy and culture by Asian Pacific Americans, and in tribute to all Asian Pacific Americans who call Illinois home.

Issued by the Governor April 27, 2016

Filed by the Secretary of State May 2, 2016

**2016-150**  
**National Day of Prayer**

**WHEREAS**, a National Day of Prayer has been part of our heritage since it was declared by the First Continental Congress in 1775; and,

**WHEREAS**, the United States Congress in 1952 approved a Joint Resolution setting aside a day each year to pray in our nation; and,

## PROCLAMATIONS

**WHEREAS**, in 1988, the United State Congress, by Public Law 100-307, as amended, affirmed the importance of prayer and directed the President of the United States to set aside and proclaim the first Thursday of May annually as a National Day of Prayer; and,

**WHEREAS**, leaders and citizens across our nation gratefully continue the tradition of prayer and affirming our spiritual heritage and the principles upon which our nation was founded; and,

**WHEREAS**, millions of men and women across the nation unite to exercise the freedom to gather in prayer with thankfulness while seeking guidance, provision, protection, and purpose for the benefit of every individual and our state as a whole; and,

**WHEREAS**, the 65th observance of the National Day of Prayer will be held on Thursday, May 5, 2016, with the theme "Wake Up America" based on Isaiah 58:1a: "Shout it aloud, do not hold back. Raise your voice like a trumpet";

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 5, 2016, as **National Day of Praye** in Illinois.

Issued by the Governor April 27, 2016

Filed by the Secretary of State May 2, 2016

**2016-151****National Nursing Home Week**

**WHEREAS**, "It's a Small World with a Big Heart" is this year's theme for National Nursing Home Week; and,

**WHEREAS**, it is a time to recognize all of the people that play significant roles in the successful quality care performed at nursing facilities; and,

**WHEREAS**, the elderly and developmentally challenged residents of long-term care facilities have led exceptional and extraordinary lives which have enhanced the quality of life in Illinois; and,

**WHEREAS**, the long-term care facilities in Illinois are dedicated to providing the finest in health care and rehabilitation for our convalescent, aged, and developmentally-challenged citizens; and,

**WHEREAS**, this dedication has been forcefully demonstrated through continual striving to upgrade standards of care an service improvements; and,

## PROCLAMATIONS

**WHEREAS**, National Nursing Homes Week is an opportunity to celebrate this focus on quality with residents, staff, families volunteers, and members of our communities; and,

**WHEREAS**, the Illinois Health Care Association is contributing to activities in observance of National Nursing Home Week beginning May 8, 2016;

**THEREFORE**, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim May 8-14, 2016 as **National Nursing Home Week** in Illinois, and encourage all citizens to recognize all the individuals who have continually committed themselves to quality care and services in our state's long-term care facilities.

Issued by the Governor April 28, 2016

Filed by the Secretary of State May 2, 2016

## EXECUTIVE ORDER

2016-6

**EXECUTIVE ORDER TO ELIMINATE THE BACKLOG AND DELAY IN STATE ADMINISTRATIVE PROCEEDINGS**

**WHEREAS**, agencies of the State of Illinois make decisions that significantly impact the lives and livelihoods of Illinois residents and businesses – from deciding eligibility for healthcare and family benefits to licensing professionals and businesses, and from determining whether a person has been a victim of discrimination to ensuring that employers pay all wages due to their employees; and

**WHEREAS**, our constitutional, democratic principles require the State to afford due process to people and businesses affected by these decisions; and

**WHEREAS**, State agency decisions are reviewable through administrative hearings conducted under the Administrative Procedures Act; and

**WHEREAS**, more than 100,000 administrative hearings are requested each year, and more requests are expected in years to come; and

**WHEREAS**, each State agency is responsible for conducting its own administrative hearings, and this decentralized approach has resulted in a patchwork system that often is inefficient and unresponsive to the needs of the people and businesses that depend on it; and

**WHEREAS**, State agencies often do not have systems that track the amount of time it takes for cases to be concluded, making it difficult to determine with any sense of certainty where to direct resources and personnel; and

**WHEREAS**, under our current administrative hearing system at some agencies, such as the Departments of Labor and Financial and Professional Regulation, parties can wait up to two years to have their cases adjudicated; and

**WHEREAS**, the Human Rights Commission, which enforces state laws that prohibit discrimination, currently has a backlog of over 1,000 cases that have been pending without a decision for at least 2 years and some as long as 3; and

**WHEREAS**, these backlogs and delays are unacceptable and can illustrate the legal maxim, "justice delayed is justice denied"; and

**WHEREAS**, although a single statute governs State agencies' administrative hearings, agencies often have different, conflicting, and inconsistent rules of administrative procedure, which confuse parties, impede transparency, and contribute to the backlog and delays; and

## EXECUTIVE ORDER

**WHEREAS**, administrative law judges and hearing officers generally conduct administrative hearings for the agencies at which they work even when those very agencies are a party in the case, thereby creating at least an appearance of a conflict of interest; and

**WHEREAS**, each State agency now bears responsibility for creating its own procedural rules and its own filing and case management systems, and this arrangement results in redundant and inconsistent, non-interoperable procedures and systems across State government, with some agencies using electronic filing systems while other agencies do not and with some agencies sending and receiving documents by email while others do not; and

**WHEREAS**, because State agencies use multiple disparate systems, data across the State are isolated in agency-specific applications, and as a result agencies cannot easily share data to more efficiently serve businesses and citizens and save taxpayer resources; and

**WHEREAS**, some State agencies have so little administrative support for their adjudicators that the adjudicators themselves must take time away from conducting hearings and drafting decisions in order to schedule hearings, arrange for interpreters, copy documents and perform similar tasks, all of which increases case backlogs and the amount of time citizens must wait to receive decisions; and

**WHEREAS**, currently, the amount of resources and personnel each State agency with adjudicators expends varies greatly and does not necessarily bear a relation to the number of claims received and adjudicated by that agency; an assessment of State agencies' use of their resources for administrative hearings is required to determine if they are efficiently and effectively providing a high level of service, transparency, accountability, timely resolutions, efficient practices and procedures; and

**WHEREAS**, 30 states have established, either by statute or executive order, some form of a centralized office to preside over the state's administrative hearings and more efficiently manage their large administrative caseloads; and

**WHEREAS**, the purpose of this Executive Order is to initiate a pilot program through which the State will provide some central, uniform administrative support to a limited number of State agencies and to determine whether further consolidation should be considered through a subsequent Executive Order or legislation;

**THEREFORE**, I, Bruce Rauner, Governor of Illinois, by virtue of the executive authority vested in me by Section 11 of Article V of the Constitution of the State of Illinois, do hereby order as follows:

## EXECUTIVE ORDER

**I. DEFINITIONS**

"Adjudicator" means an administrative law judge, hearing officer, hearing referee, or other State employee who conducts hearings on behalf of a State agency under the authority of the Office of the Governor pursuant to the Administrative Procedures Act.

"Bureau" means the CMS Bureau of Administrative Hearings.

"CMS" means the Department of Central Management Services.

"Pilot period" means the period from the effective date of this Executive Order until June 30, 2017, subject to extension by the Office of the Governor.

"State" means the State of Illinois.

**II. CREATION OF THE BUREAU OF ADMINISTRATIVE HEARINGS**

The Director of CMS shall create within CMS the Bureau of Administrative Hearings (the "Bureau"). The Director of CMS shall also appoint the Bureau Chief from its existing legal staff. The Bureau shall exist only during the pilot period, unless continued by subsequent Executive Order, administrative rule, or Public Act.

The Bureau shall invite up to ten State agencies (or such other number of State agencies as approved by the Office of the Governor) to participate in an administrative hearing support program during the pilot period. The Bureau shall enter into an interagency contract with each participating State agency, as authorized by the Intergovernmental Cooperation Act and other applicable law. Pursuant to such contract, the Bureau shall develop training programs for adjudicators; improve the process for assigning cases among adjudicators; promote shared resources among participating State agencies; develop uniform rules of procedure and recommend revisions to the agency's administrative rules on administrative hearings; develop a standard code of professional conduct for adjudicators; and in cooperation with the Department of Innovation and Technology ("DoIT"), implement modern, uniform filing and case management systems.

As part of their focus on providing excellent customer service, State agencies should actively track case backlogs and workflows. Coordination among State agencies and the Bureau shall ensure efficiency and effectiveness through cooperation in the development of uniform rules of procedure and a standard code of professional conduct and through the sharing of resources and information necessary to determine the efficacy of the pilot program. The Bureau should monitor and seek to eliminate backlogs and inefficiencies wherever they exist, and should identify where these goals are hindered by disconnects in communication, poor or nonexistent electronic case management systems and decentralized operations.

## EXECUTIVE ORDER

The Bureau shall investigate and determine whether and to what extent the further consolidation of adjudicators, administrative hearing and support functions, and associated resources among State agencies would result in a more efficient, timely, and responsive administrative hearing system. Such consolidation would be accomplished by subsequent Executive Order or Public Act. The Bureau shall consider, without limitation, whether consolidation would enable more efficient administrative procedures, greater customer satisfaction, greater public trust and confidence, reduced backlog of cases, and any cost savings or cost avoidance.

The Bureau Chief shall meet with the Office of the Governor and the Director of CMS by each of June 30, 2016 and December 31, 2016, to report on, and assess the impact of the administrative hearing support program. The Bureau Chief also shall describe the Bureau's investigation and determination with respect to further consolidation, as contemplated above, and include the Bureau's recommendations for any further reforms. By July 30, 2017, the Bureau Chief shall submit a written report to the Governor and the General Assembly and include the Bureau's recommendations for any subsequent reforms.

**III. SAVINGS CLAUSE**

1. This Executive Order does not, and shall not be construed to, transfer any rights, powers, duties, functions, property, personnel, or funds from, to, or among State agencies; each State agency continues to have whatever authority is provided to it pursuant to the Intergovernmental Cooperation Act and other applicable law to enter into interagency contracts, which may include permissible transfers.
2. This Executive Order shall not affect any act undertaken, ratified, or cancelled or any right occurring or established or any action or proceeding commenced in an administrative, civil, or criminal case before this Executive Order takes effect, but these actions or proceedings may be prosecuted and continued by the Bureau in cooperation with the State agency, if necessary.
3. This Executive Order shall not affect the legality of any rules in the Illinois Administrative Code that are in force on the effective date of this Executive Order, which rules have been duly adopted by the pertinent agencies. If necessary, however, the affected agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Executive Order.
4. This Executive Order does not contravene, and shall not be construed to contravene, any federal law, State statute, or collective bargaining agreement.

**IV. PRIOR EXECUTIVE ORDERS**

## EXECUTIVE ORDER

This Executive Order supersedes any contrary provision of any other prior Executive Order.

**V. SEVERABILITY CLAUSE**

If any part of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect. The provisions of this Executive Order are severable.

**VI. EFFECTIVE DATE**

This Executive Order shall take effect upon filing with the Secretary of State.

Issued by the Governor: April 29, 2016

Filed with Secretary of State: April 29, 2016

**ILLINOIS ADMINISTRATIVE CODE**  
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