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1	December 27, 2005	January 6, 2006
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4	January 17, 2006	January 27, 2006
5	January 23, 2006	February 3, 2006
6	January 30, 2006	February 10, 2006
7	February 6, 2006	February 17, 2006
8	February 14, 2006	February 24, 2006
9	February 21, 2006	March 3, 2006
10	February 27, 2006	March 10, 2006
11	March 6, 2006	March 17, 2006
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18	April 24, 2006	May 5, 2006
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20	May 8, 2006	May 19, 2006
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ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Voluntary Binding Arbitration Practice
- 2) Code Citation 83 Ill. Adm. Code 202
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
202.10	New Section
202.20	New Section
202.30	New Section
202.40	New Section
202.50	New Section
202.60	New Section
202.70	New Section
202.80	New Section
202.100	New Section
202.110	New Section
202.120	New Section
202.130	New Section
202.200	New Section
202.210	New Section
202.220	New Section
202.300	New Section
202.310	New Section
202.320	New Section
202.330	New Section
202.400	New Section
202.410	New Section
202.420	New Section
202.430	New Section
202.440	New Section
202.450	New Section
202.460	New Section
202.470	New Section
202.500	New Section
202.510	New Section
202.520	New Section
202.530	New Section
202.540	New Section
202.550	New Section
202.560	New Section
202.565	New Section

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NOTICE OF PROPOSED RULES

202.570 New Section
202.1000 New Section

- 4) Statutory Authority: Implementing and authorized by Section 10-101.1 of the Public Utilities Act [220 ILCS 5/10-101.1]
- 5) A Complete Description of the Subjects and Issues Involved: Section 10-101.1 of the Public Utilities Act [220 ILCS 5/10-101.1] concerns mediation, arbitration, and case management before the Illinois Commerce Commission. The proposed rules establish a framework for voluntary binding arbitration. The proposed rules cover the initiation of the arbitration process, the pre-hearing procedures, the arbitration hearing procedure, the post-arbitration procedure, and electronic filing.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? These proposed rules incorporate certain portions of 83 Ill. Adm. Code 200. See proposed Section 202.1000.
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: These proposed rules neither create nor expand 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 06-0622, with:

Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield IL 62701

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NOTICE OF PROPOSED RULES

(217)782-7434

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: These rules will affect any subject jurisdictional entities that are also small businesses as defined in the Illinois Administrative Procedure Act. These rules will affect any small businesses, small municipalities, or not for profit corporations that would become involved in voluntary binding arbitration before the Commission.

B) Reporting, bookkeeping or other procedures required for compliance: Filing procedures

C) Types of professional skills necessary for compliance: Legal and managerial skills

14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: The Commission did not anticipate the need for these rules at that time.

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

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NOTICE OF PROPOSED RULES

TITLE 83: PUBLIC UTILITIES

CHAPTER I: ILLINOIS COMMERCE COMMISSION

SUBCHAPTER b: PROVISIONS APPLICABLE TO MORE THAN
ONE KIND OF UTILITY

PART 202

VOLUNTARY BINDING ARBITRATION PRACTICE

SUBPART A: GENERAL PROVISIONS

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202.20	Deviation from this Part
202.30	Definitions
202.40	Authority of Arbitrator
202.50	Public Policy Considerations
202.60	Ex Parte Communications
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202.130	Service

SUBPART C: INITIATING ARBITRATION

Section	
202.200	Petition for Arbitration
202.210	Submitting a Petition for Arbitration
202.220	Designation of Arbitrator

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Section	
202.300	Pre-arbitration Conference
202.310	Failure to Comply with a Discovery Order or a Subpoena

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- 202.320 Motion to Quash Subpoena
- 202.330 Protective Orders

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- 202.410 Presentation of Witnesses
- 202.420 Transcripts
- 202.430 Consolidation and Severance
- 202.440 Information to be Adduced at Arbitration
- 202.450 Information to be Under Oath or Affirmation
- 202.460 Stipulation of Facts
- 202.470 Exhibits

SUBPART F: POST-ARBITRATION PROCEDURE

- Section
- 202.500 Briefs
- 202.510 Draft Proposed Arbitration Decisions
- 202.520 Proposed Arbitration Decision
- 202.530 Exceptions; Reply
- 202.540 Additional Hearings
- 202.550 Arbitration Decision
- 202.560 Commission Entry of Award
- 202.565 Vacating an Order Adopting the Arbitrator's Arbitration Decision
- 202.570 Modifying or Correcting an Order Adopting the Arbitrator's Arbitration Decision

SUBPART G: ELECTRONIC FILING

- Section
- 202.1000 Electronic Filing

AUTHORITY: Implementing and authorized by Section 10-101.1 of the Public Utilities Act [220 ILCS 5/10-101.1].

Source: Adopted at 30 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

ILLINOIS COMMERCE COMMISSION

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Section 202.10 Procedure Governed and Purpose of this Part

This Part governs practice and procedure before the Illinois Commerce Commission (Commission) in the arbitration proceedings under Section 10-101.1 of the Public Utilities Act (Act) [220 ILCS 5/10-101.1]. The purpose of this Part is to enable parties to resolve complaints through binding arbitration in as expeditious and informal a manner as to which the parties can agree, consistent with the resolution of the complaint.

Section 202.20 Deviation from this Part

With the consent of Staff and the parties to an arbitration and to the extent permitted by law, including Article 10 of the Illinois Administrative Procedure Act (IAPA) [5 ILCS 100/Art. 10], any provision of this Part may be waived, suspended or modified by the arbitrator in furtherance of the purpose of this Part, as described in Section 202.10.

Section 202.30 Definitions

Unless otherwise defined, the following terms used in this Part shall have the following meanings:

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

"Arbitration" means a process in which an impartial third-party renders a binding decision resolving a complaint brought under the Act.

"Arbitrator" means an attorney employed by the Commission who has been trained in arbitration and who renders a binding decision pursuant to this Part resolving a complaint brought under the Act.

"Documents" means petitions, pleadings, responses, amended and supplemental petitions, written discovery, responses to discovery, verified statements, verified exhibits, depositions, motions, responses, replies, notices, briefs, draft proposed arbitration decisions, and similar writings.

"e-Docket" means a Web based electronic filing system maintained by the Commission that allows electronic filing, management, and access to electronic records that make up case files.

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"Electronic" *includes electrical, digital, magnetic, optical, electromagnetic, or any other form of technology that entails capabilities similar to these technologies.* [220 ILCS 5/3-122]

"Electronic document" means a document transmitted by electronic means to the Commission with an electronic signature attached.

"Electronic record" *means a record generated, communicated, received, or stored by electronic means for use in an information system or for transmission from one information system to another.* [5 ILCS 175/5-105]

"Electronic signature" means a signature in electronic form issued by the Commission pursuant to Section 202.1000 and consisting of a user I.D. and password attached to or logically associated with an electronic document.

"E-mail address" *means a destination, commonly expressed as a string of characters, to which electronic mail may be sent or delivered.* [815 ILCS 511/5]

"Party" means any person who initiates arbitration by filing a petition for arbitration pursuant to this Part. Staff witnesses are not parties, but shall have the specific rights and duties of parties as enumerated in this Part. Intervention by other persons shall be limited as described in Section 202.50.

"Person" means any individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government, governmental subdivision, agency, instrumentality, public corporation, or any other legal or commercial entity.

"Pleading" means any petition, motion, response or reply filed with the Commission in an arbitration proceeding.

"Staff" or "Commission Staff" means individuals employed by the Commission. For purposes of this Part, an arbitrator employed by the Commission is not considered a member of the Commission Staff.

"Staff witness" means a member of the Commission Staff, excluding counsel, who testifies or enters an appearance in a particular arbitration proceeding before the Commission. Except for Staff witnesses, this definition shall not limit the utilization of Commission Staff as technical advisors to the arbitrator or Commission.

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Section 202.40 Authority of Arbitrator

- a) The arbitrator shall have authority over the conduct of a proceeding and the responsibility for rendering a final binding decision resolving the complaint. The arbitrator shall have those duties and powers reasonably necessary to these ends, consistent with applicable statutes and the purpose of this Part identified in Section 202.10, including the following:
- 1) To administer oaths and affirmations;
 - 2) To order the issuance of subpoenas, to supervise discovery, and to conduct discovery;
 - 3) To conduct arbitration hearings and prehearing conferences;
 - 4) To rule upon all objections, motions and petitions, to receive evidence, and to grant appropriate interim relief;
 - 5) To examine witnesses and allow parties to examine an adverse party or agent;
 - 6) To request briefs and/or oral presentations on specified issues and/or other aids in identifying issues;
 - 7) At any stage of the arbitration or after all parties have completed the presentation of their evidence to call upon any party or the Staff to produce further evidence that is material and relevant to any issue;
 - 8) To ensure that the arbitration is conducted in a full, fair, and impartial manner, that order is maintained and that unnecessary delay is avoided in the disposition of the proceedings; and
 - 9) To issue protective orders in accordance with Section 202.330.
- b) Any party who fails to comply with an order of the arbitrator may be limited in its presentation of information during the arbitration proceeding if the failure to comply disrupts the proceeding or hampers efforts to obtain or admit evidence.

Section 202.50 Public Policy Considerations

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- a) The arbitrator, with the approval of the Commission, may refuse to resolve a complaint for which arbitration is sought under this Part upon a showing by Commission Staff or an intervenor in the arbitration docket that it is more likely than not that sound public policy warrants the resolution of the dispute under 83 Ill. Adm. Code 200. Staff or an intervenor shall attempt to make such showing through a motion in the arbitration docket, to which the other parties to the arbitration may respond. Staff or the intervenor who filed the motion shall have the opportunity to reply to any such responses. Any such motion must be filed within 30 calendar days after the filing of the petition for arbitration.
- b) Upon determining whether the burden set forth in subsection (a) has been met, the arbitrator shall prepare a "Proposed Section 202.50 Decision" setting forth the reasons why sound public policy either warrants or does not warrant the resolution of the complaint under 83 Ill. Adm. Code 200. The "Proposed Section 202.50 Decision" shall also assign any costs incurred pursuant to Section 202.80. The "Proposed Section 202.50 Decision" shall be served by the Chief Clerk of the Commission on Staff and all parties to the arbitration, including any intervenor. The arbitrator shall also designate, under an expedited schedule, dates for the receipt of Briefs on Exceptions and Briefs in Reply to Exceptions consistent with Section 202.530. Following the receipt of any Brief on Exceptions and Brief in Reply to Exceptions, the arbitrator shall prepare a "Post-Exceptions Section 202.50 Decision" concerning whether the complaint warrants resolution via arbitration and place it before the Commission for its consideration. The Commission shall either reject the "Post-Exceptions Section 202.50 Decision" or enter as the order in the arbitration docket the "Post-Exceptions Section 202.50 Decision" of the arbitrator without change, at which point it shall be relabeled "Section 202.50 Decision". If the Commission determines that arbitration is not warranted, the complaint shall be resolved under 83 Ill. Adm. Code 200.
- c) Intervention in an arbitration docket shall be allowed only for the limited purpose of raising public policy considerations and addressing such considerations as described in this Section. Upon the denial of any motion raised under this Section, the participation of intervenors in the arbitration docket shall end.

Section 202.60 Ex Parte Communications

- a) The provisions of Section 5-50 of the State Officials and Employees Ethics Act [5 ILCS 430/5-50] and Section 10-60 of the IAPA [5 ILCS 100/10-60] shall apply in full to arbitration proceedings that are subject to this Part.

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- b) The provisions of Section 10-60 of the IAPA shall not apply, however, to communications between Commission employees who are engaged in investigatory or advocacy functions and other parties to the arbitration proceeding, provided that such Commission employees are still prohibited from communicating on an ex parte basis, as designated in Section 10-60 of the IAPA, directly or indirectly, with members of the Commission, an arbitrator in the proceeding, or any Commission employee who is or reasonably may be expected to be involved in the decisional process of the proceeding.
- c) Any Commissioner, arbitrator, or other Commission employee who is or reasonably may be expected to be involved in the decisional process of a proceeding who receives, or who makes or knowingly causes to be made, a communication prohibited by Section 10-60 of the IAPA as modified by Section 10-103 of the shall place on the public record of the proceeding:
 - 1) All such written communications;
 - 2) Memoranda stating the substance of all such oral communications; and
 - 3) All written responses and memoranda stating the substance of all oral responses to the materials described in subsections (c)(1) and (2).
- d) The material specified in subsection (c) shall be disclosed to the parties of record by:
 - 1) Service on the parties at the arbitration; or
 - 2) If no arbitration hearing is scheduled within the next seven days, service by hand delivery, overnight mail, courier service, telephone facsimile, or electronic mail on all parties to the arbitration.

Section 202.70 Duration of Arbitration

- a) Unless otherwise agreed to by all of the parties and Staff, the arbitration process shall be completed no later than 150 days after the Chief Clerk's receipt of a joint petition for arbitration.

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- b) In the event that a motion is filed pursuant to Section 202.50, the time period specified in subsection (a) shall automatically toll until the Commission resolves the motion pursuant to Section 202.50.

Section 202.80 Site Inspections

- a) In the event that the arbitrator, the parties, and Staff deem a site inspection helpful in resolving the dispute, notice shall be given to the parties and Staff of the time and date of the inspection. Each party and Staff may have one or more representatives present during the inspection. If the arbitrator, the parties, and Staff do not all agree that a site inspection would be helpful, no site inspection shall occur.
- b) Necessary and reasonable travel expenses, including lodging and meals, incurred by the arbitrator and Staff shall be reimbursed by the parties requesting arbitration. Unless allocated differently pursuant to subsection (c), each party shall pay an equal portion of the expenses.
- c) Upon the resolution of the dispute, the arbitrator may determine that all travel expenses incurred by the arbitrator and Staff as a result of a site inspection shall be allocated in a manner different from that prescribed in subsection (b). Any difference from the allocation prescribed in subsection (b) shall be based on the ultimate resolution of the arbitration.
- d) The assessment of the Commission's costs of a site inspection shall be issued to the parties by the Commission's Administrative Services Division. All assessments made under this Part shall be paid into the Public Utility Fund within 60 days after receiving notice of the assessments from the Commission.

SUBPART B: FORM, FILING AND SERVICE OF DOCUMENTS

Section 202.100 Communications to the Commission

All paper documents to be filed with or submitted to the Commission shall be addressed to: The Chief Clerk, Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, Illinois 62701. All formal paper communications and documents are deemed to be officially filed or submitted only when delivered to the Springfield office of the Commission. The Chief Clerk is the official custodian of all Commission records.

Section 202.110 Form of Pleadings and Documents

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- a) All pleadings and documents filed with the Commission shall be typewritten or printed on white paper 8½ inches by 11 inches or capable of being printed on paper 8½ inches by 11 inches and shall have inside text margins of not less than one inch. An optional heading consisting of the docket number and document title shall be placed in the upper right-hand corner and have a top margin of not less than ¾ inch. Page numbers shall be centered and have a bottom margin of not less than ½ inch. Line numbers shall have a left-hand margin of not less than ½ inch. All exhibits of a documentary character shall, whenever practical, conform to these requirements of size and margin. The impression shall be on both sides of the paper when practical and shall be double spaced; footnotes may be single spaced and quotations may be single spaced and indented.
- b) All pleadings or other documents shall be composed in either Arial or Times New Roman font, black type on white background. The text of pleadings or documents shall be at least 12-point. Footnotes shall be at least 10-point. Other material not in the body of the text, such as financial data schedules and exhibits, shall be at least 8-point. All exhibits of a documentary character shall, whenever practical, conform to these requirements.
- c) Reproductions may be by any process, provided that all copies are clear and permanently legible.
- d) Testimony prepared for the purpose of being entered into evidence shall include line numbers on the left-hand side of each page of text. Testimony shall include continuous line numbers. Schedules, attachments, and exhibits of a numerical or documentary nature shall, whenever practical, conform to these requirements.

Section 202.120 Contents of Documents

- a) All documents submitted in arbitration proceedings shall display the docket number of the proceeding. Documents initiating a new arbitration proceeding shall leave a space for the docket number. All documents shall also include the full name, address, telephone number, and, unless the party has no facsimile number or e-mail address, either directly or through its attorney, facsimile number and e-mail address of the person or the representative of the person filing the document. A party, in its first pleading in an arbitration proceeding, shall state whether it agrees to accept service by electronic means as provided for in Subpart G of this Part. A party later may agree, or may revoke its agreement, to accept

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electronic service, provided that the party shall file and serve a notice of the later agreement or revocation.

- b) The original of every document filed shall be signed by the party filing the same or by an officer or agent. The factual assertions contained in all documents shall be verified by the filing party before a notary public or other officer authorized to administer oaths.

Section 202.130 Service

- a) All documents shall be deemed filed on the date received by the Chief Clerk of the Commission. The original of any document shall be filed with the Chief Clerk. Service on the Chief Clerk of the Commission cannot be made by telephone facsimile. All documents shall be served upon the parties to the arbitration proceeding and the arbitrator on the day they are filed with the Chief Clerk of the Commission.
- b) Proof of service of any paper shall be by certificate of attorney, acknowledgement of receipt, or affidavit.

SUBPART C: INITIATING ARBITRATION

Section 202.200 Petition for Arbitration

Arbitration of any complaint brought under the Act may be requested if all parties to the complaint request arbitration and the dispute is not otherwise subject to 83 Ill. Adm. Code 761 or 83 Ill. Adm. Code 766. Upon submitting a petition for arbitration, all parties to the complaint shall notify the Administrative Law Judge presiding over the complaint of their petition pursuant to Section 202.210 and request that the Commission stay the complaint proceeding until the arbitration is resolved. The Administrative Law Judge presiding over the complaint shall make a ruling on the record in the complaint docket indicating that the complaint proceeding is stayed pending resolution of the arbitration.

Section 202.210 Submitting a Petition for Arbitration

- a) A request for arbitration shall be contained in a petition jointly submitted to the Chief Clerk of the Commission by agreement of all parties to the complaint. The petition shall initiate a new docket.
- b) A petition for arbitration shall include:

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- 1) A statement that the arbitration is being requested under 83 Ill. Adm. Code 202;
 - 2) A statement of the issues to be resolved in the arbitration;
 - 3) A statement of the specific relief sought by each party;
 - 4) A statement that the parties agree to be bound by the decision of the arbitrator;
 - 5) A statement that the parties waive 83 Ill. Adm. Code 200 and the IAPA [5 ILCS 100] to the extent that either conflicts with the procedures followed in the proceeding;
 - 6) The name, address, telephone number, and, if available, the facsimile number and e-mail address of a contact person for each party submitting the petition for arbitration; and
 - 7) The name of the first, second, and third choice of arbitrator chosen by the parties from the list of arbitrators on the Commission's web site.
- c) A petition for arbitration may include any additional documents that the parties believe are pertinent to the matter.

Section 202.220 Designation of Arbitrator

- a) Parties to a complaint requesting arbitration shall choose arbitrators from the list of arbitrators posted on the Commission's web site. Parties shall identify which of the chosen arbitrators is their first choice, which is their second choice, and which is their third choice. Parties unable to agree on a first and second choice of arbitrator may not file a petition requesting arbitration. If the arbitrator identified as the parties' first choice of arbitrator is unavailable to arbitrate the dispute, the arbitrator identified as the parties' second choice of arbitrator shall be designated to arbitrate the dispute. If the arbitrator identified as the parties' second choice of arbitrator is unavailable to arbitrate the dispute, the arbitrator identified as the parties' third choice of arbitrator shall be designated to arbitrate the dispute. If the arbitrator identified as the parties' third choice of arbitrator is unavailable to arbitrate the dispute, the Chief Administrative Law Judge shall designate an arbitrator. The parties may either proceed with the designated arbitrator or

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withdraw the request for arbitration and resolve the complaint pursuant to 83 Ill. Adm. Code 200.

- b) An Administrative Law Judge presiding over a complaint from which an arbitration request arises shall not serve as an arbitrator in that matter.
- c) No member of Commission Staff participating in a complaint from which an arbitration request arises shall assist the arbitrator presiding over that arbitration.
- d) No arbitrator shall have any financial or personal interest in the result of the arbitration. If an arbitrator becomes aware of any financial or personal interest in the result of the arbitration, the arbitrator must disclose the interest on the record to the parties at the earliest possible opportunity. If all of the parties waive any objection to such conflict of interest on the record, the arbitrator may continue to serve as arbitrator. If any of the parties object to the arbitrator's continued role in the proceeding, a new arbitrator shall be selected in the manner prescribed in subsection (a).
- e) The Commission shall make available on its web site a list of arbitrators. The list shall include the location of each arbitrator (i.e., Springfield or Chicago).

SUBPART D: PRE-HEARING PROCEDURE

Section 202.300 Pre-arbitration Conference

Upon providing notice through the Chief Clerk of the Commission, the arbitrator may request all parties to attend a pre-arbitration conference. Such a conference may be held for any purpose, including, but not limited to:

- a) Scheduling;
- b) Identification and simplification of issues and procedures;
- c) Amendments to documents;
- d) Limitations on the number of witnesses;
- e) The issuance of rulings denying, limiting, conditioning or regulating discovery;

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- f) The issuance of rulings supervising all or any part of any discovery procedure; and
- g) Such other matters as may aid in the simplification of the issues and procedures and disposition of the proceeding, including, but not limited to, obtaining a written statement from Staff that it waives 83 Ill. Adm. Code 200 and the IAPA to the extent that either conflicts with the procedures followed in the proceeding.

Section 202.310 Failure to Comply with a Discovery Order or a Subpoena

If a person or party fails to comply with a discovery order or refuses to attend or be sworn at an arbitration hearing, the arbitrator may: suspend proceedings until compliance is obtained; strike all or any part of the documents of such party; refuse to allow the party to support designated claims or defenses; or proceed on the basis of the best information available from whatever source derived.

Section 202.320 Motion to Quash Subpoena

The arbitrator, upon motion, may quash or modify a subpoena or request for discovery.

Section 202.330 Protective Orders

- a) At any time during the pendency of a proceeding, the arbitrator may, on the motion of any person, enter an order to protect the confidential, proprietary or trade secret nature of any data, information or studies.
- b) A person submitting a motion for a protective order shall specify the proposed expiration date for the proprietary status of the data, information or studies. The proposed expiration date shall be no more than five years from the date of submission. However, the proposed expiration date may exceed five years upon a showing of good cause. If no date is specified, the proposed expiration date for the proprietary status of the data, information or studies shall be two years from the date of submission.
- c) A document submitted and marked as proprietary shall be afforded proprietary treatment pending the timely submission of a motion to protect the confidential, proprietary or trade secret nature of that document and a ruling on that motion by the arbitrator.

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- d) A public redacted version of each document submitted pursuant to this Section must also be submitted with the proprietary version. The proprietary version of any document should clearly indicate all portions that are considered proprietary in nature.

SUBPART E: ARBITRATION HEARING PROCEDURE

Section 202.400 Hearing

- a) Parties and Staff are entitled to be represented by an attorney, to be heard, to present evidence material to the controversy, and to cross-examine witnesses appearing at the hearing. *All hearings conducted by the Commission shall be open to the public* [220 ILCS 5/10-101].
- b) In furtherance of minimizing procedural mechanisms as described in Section 202.10, parties and Staff are encouraged by the Commission to make oral presentations at a hearing or to simultaneously submit written statements setting forth their positions rather than submit written testimony in multiple stages.
- c) All written statements or testimony shall be offered by a named witness available for cross-examination and shall be certified as true, correct and complete.

Section 202.410 Presentation of Witnesses

The arbitrator shall decide the order in which the parties and Staff shall present their witnesses for cross-examination. The arbitrator will specify whether certain witnesses may be presented as a panel for cross-examination. If the parties and Staff agree to waive cross-examination of each other's witnesses, the arbitrator may still require the presence of witnesses for the purpose of conducting his own cross-examination.

Section 202.420 Transcripts

- a) A complete record of all arbitration hearings conducted under this Part shall be transcribed by a reporter appointed by the Commission. In the event that expedited transcripts are required, the cost of preparation shall be borne by the party requesting the expedited transcripts.
- b) Suggested corrections to the transcript of record shall be filed within five days after the day on which the transcript is delivered or at such other time as

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prescribed by the arbitrator, and shall be in writing and served upon each party, the official reporter, and the arbitrator.

- c) Objections to suggested corrections shall be filed within three days after the filing of the suggestions, unless otherwise prescribed by the arbitrator. The arbitrator shall determine what changes, if any, shall be made in the record.
- d) If no objection is made to the suggested corrections, the arbitrator may, in his or her discretion, direct the corrections to be made and the manner of making them. The purpose of this determination shall be to ensure the accuracy of the arbitration record.

Section 202.430 Consolidation and Severance

- a) Where consistent with the requirements of the Act and with the consent of the parties and Staff, the arbitrator may, to the extent practical, order the consolidation of two or more proceedings under this Part in order to reduce administrative burdens.
- b) When consistent with the requirements of the Act and with the consent of the parties and Staff, the arbitrator may, to the extent practical, order the severance of two or more proceedings previously consolidated under subsection (a) in order to reduce administrative burdens.

Section 202.440 Information to be Adduced at Arbitration

- a) In all proceedings subject to this Part, irrelevant, immaterial or unduly repetitious information shall be excluded. Relevant information may be admitted at the arbitration if it is of a type commonly relied on by reasonably prudent persons in the conduct of their affairs.
- b) Whenever a verified statement or exhibit contains language and/or figures that differ from the exhibit offered, the sponsoring party shall indicate all changes in writing either on a corrective sheet or the actual exhibit shall have the corrected language and/or figures so designated.
- c) Any information offered in whatever form shall be subject to appropriate and timely objection. The arbitrator may, either with or without objection, exclude irrelevant, immaterial, unduly repetitious or otherwise inadmissible information.

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Section 202.450 Information to be Under Oath or Affirmation

All orally presented information to be considered at the arbitration hearing shall be sworn or affirmed. All other information submitted at the arbitration hearing shall be verified pursuant to Section 202.120(b).

Section 202.460 Stipulation of Facts

Staff and the parties to any arbitration may, by written stipulation or by oral stipulation entered in the record, agree upon the facts or any part of the facts related to the contested issues in the arbitration. Notwithstanding the stipulation of the parties and Staff, the arbitrator may require further information in support of the facts stipulated.

Section 202.470 Exhibits

- a) All exhibits shall be marked numerically and/or alphabetically with a party designation and shall conform to the requirements of Section 202.120.
- b) When exhibits are identified for the record, unless the arbitrator directs otherwise, an original shall be offered at the arbitration and, unless previously provided, a copy provided to the arbitrator and to each party.

SUBPART F: POST-ARBITRATION PROCEDURE

Section 202.500 Briefs

- a) If the parties and Staff agree to file briefs, at the close of the arbitration, the arbitrator shall set a schedule for the filing of briefs. Parties and Staff must use citations if they refer to testimony or evidence adduced at the arbitration hearings. At the discretion of the arbitrator, failure to use citations may result in rejection of all or part of the brief. Before rejecting all or part of a brief, however, the arbitrator shall allow a party or Staff an opportunity to provide any missing citations (no additional substantive argument may be added when given the opportunity to provide citations).
- b) Briefs shall be concise and, if in excess of 20 pages, excluding appendices, shall contain:
 - 1) A table of contents;

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- 2) A summary of the position of the party filing; and
- 3) Argument.

Section 202.510 Draft Proposed Arbitration Decisions

The arbitrator may permit or require a party or parties to file draft proposed arbitration decisions.

Section 202.520 Proposed Arbitration Decision

The arbitrator shall, after the close of the arbitration, prepare a proposed arbitration decision, including a statement of findings and conclusions and the reasons or basis for the findings and conclusions, on all the material issues of fact, law or discretion presented on the record. The arbitration decision shall identify any award to be received by any party and assign costs pursuant to Sections 202.80. The arbitration decision shall include a schedule specifying when any award is to be made. The written arbitration decision shall be served by the Chief Clerk of the Commission on Staff and all parties to the arbitration.

Section 202.530 Exceptions; Reply

- a) The parties and Staff may each file a "Brief on Exceptions" to the arbitrator's proposed arbitration decision at such time as is fixed by the arbitrator. With the agreement of the parties and Staff, the arbitrator may also allow the parties to file as a reply a "Brief in Reply to Exceptions".
- b) Exceptions and replies to exceptions with respect to statements, findings of fact or rulings of law must be specific and must be stated and numbered separately in the brief. When exception is taken or a reply is made as to a statement or finding of fact, a suggested replacement statement or finding must be incorporated. Exceptions and replies may contain written arguments in support of the position taken by the party or Staff representative filing the exceptions or reply.

Section 202.540 Additional Hearings

Before issuance of a final decision, the arbitrator may, on his or her own motion, hold additional hearings for the purpose of clarifying any issues. In doing so, the arbitrator may ask the parties to provide additional evidence.

Section 202.550 Arbitration Decision

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Following the receipt of any Brief on Exceptions and Brief in Reply to Exceptions, the arbitrator shall prepare a written arbitration decision consistent with the requirements of Section 202.520.

Section 202.560 Commission Entry of Award

The Commission shall enter as the order in the arbitration docket the arbitration decision of the arbitrator without change, subject to Sections 202.565 and 202.570.

Section 202.565 Vacating an Order Adopting the Arbitrator's Arbitration Decision

- a) Upon a showing by Staff or a party to the arbitration, the Commission shall vacate an order entered pursuant to Section 202.560 where:
 - 1) the arbitration decision was procured by corruption, fraud or other undue means;
 - 2) there was evident partiality, corruption, or misconduct by an arbitrator prejudicing the rights of any party or Staff;
 - 3) the arbitrator exceeded his or her powers; or
 - 4) the arbitrator refused to hear evidence material to the controversy or otherwise conducted the hearing in a manner that prejudiced substantially the rights of a party or Staff.
- b) An application under this Section shall be made within 30 days after delivery of a copy of the order to the applicant, except that, if predicated upon corruption, fraud or other undue means, it shall be made within 90 days after such grounds are known or should have been known.
- c) If an order is vacated on the grounds set forth in subsection (a) and all of the parties that initially requested arbitration still wish to resolve their dispute pursuant to this Part, the Commission shall permit the parties to select another arbitrator pursuant to Section 202.220 and proceed under this Part. Site inspection costs assessed pursuant to Section 202.80 in the original arbitration proceeding shall be reassessed pursuant to Section 202.80 in any subsequent arbitration proceeding. If the parties no longer wish to resolve their dispute pursuant to this Part, any site inspection costs shall be split evenly between the parties and assessed as described in Section 202.80.

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Section 202.570 Modifying or Correcting an Order Adopting the Arbitrator's Arbitration Decision

- a) Upon application made by Staff or a party within 30 days after delivery to the applicant of a copy of the order entered pursuant to Section 202.560, the Commission shall modify or correct the order when:
 - 1) there was an evident miscalculation of figures or an evident mistake in the description of any person, thing or property referred to in the order;
 - 2) the arbitrator ruled upon an issue not submitted for arbitration and the order may be corrected without affecting the merits of the decision upon the issues submitted; or
 - 3) the order contains errors of a stylistic or typographical nature not affecting the merits of the controversy.
- b) If the application is granted, the Commission shall modify and correct the order within 60 days after the granting of the application with the input of the arbitrator so as to affect the arbitrator's intent and shall enter as the order in the arbitration docket the modified/corrected order.
- c) An application to modify or correct an order may be joined in the alternative with an application to vacate the order.

SUBPART G: ELECTRONIC FILING

Section 202.1000 Electronic Filing

With respect to electronic filing, Subpart F of 83 Ill. Adm. Code 200 will apply to filings under this Part, with the following exceptions:

- a) References to "Hearing Examiner" shall be read as references to "arbitrator".
- b) The second sentence of 83 Ill. Adm. Code 200.1030(b) does not apply.
- c) References to 83 Ill. Adm. Code 200.150 shall be read as references to 83 Ill. Adm. Code 202.130.

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- d) References to 83 Ill. Adm. Code 200.430 shall be read as references to 83 Ill. Adm. Code 202.330.
- e) The second sentence of 83 Ill. Adm. Code 200.1060 is altered to read "If a prefiled electronic document is submitted without alteration at hearing, any requirement to offer multiple copies at hearing is eliminated."

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- 1) Heading of the Part: Organic Material Emission Standards and Limitations for the Chicago Area
- 2) Code Citation: 35 Ill. Adm. Code 218
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
218.182	Amend
218.APPENDIX H	Amend
- 4) Statutory Authority: Implementing Section 10 and authorized by Sections 27, 28, 28.5 of the Environmental Protection Act [415 ILCS 5/10, 27, 28 and 28.5]
- 5) A Complete Description of the Subjects and Issues Involved: For a more detailed discussion of these amendments, see the Board's September 21, 2006 opinion and order in docket R06-21. This rulemaking proposes amendments to Parts 218 and 219 of the volatile organic material (VOM) rules to allow for the use of add-on controls as a compliance option for operations using cold cleaning solvent degreasing. The proposed amendments affect cold cleaning degreasing operations located in the Chicago and Metro-East ozone nonattainment areas. The amendments to Part 219 are also proposed in this issue of the Illinois Register.

The proposed amendments would allow the use of add-on controls as an alternative to using solvents with vapor pressure of 1.0 millimeters of mercury (mmHg) or less on. Additionally, the proposal would allow the use of an equivalent alternative control plan to comply with the control measure requirements. The proposed amendments include testing procedures and recordkeeping requirements for add-on controls and equivalent alternative controls.

Amendments are also proposed to the "paper coating" note at Appendix H in Part 218 to ensure consistency with the already-amended "paper coating" note at Section 218.204(c).
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No

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- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2004)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for 45 days after the date of publication in the Illinois Register. Comments should reference Docket R06-21 and be addressed to:

Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

Interested persons may request copies of the Board's opinion and order by calling Dorothy Gunn at 312-814-3620, or download from the Board's Web site at www.ipcb.state.il.us.

For more information contact John Knittle at 217/278-3111 or email at knittlej@ipcb.state.il.us.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: The proposed amendments may impact any small business, small municipality, and not for profit corporation that uses cold cleaning solvent degreasing. The Illinois Environmental Protection Agency identified four companies (Diversapack, Printpack, MPC Products, and Pechiney Plastic Packaging) as cold cleaning degreaser point sources that are using add-on controls. All four facilities are located in the Chicago area.

The proposal would also amend the "paper coating" note at Appendix H so that it reflects the amendments to the same note at Section 218.204(c), which amendments became effective on May 15, 2006. The amended note clarifies (1) that the paper coating limitation does not apply to any owner or operator of any paper coating line on which "flexographic or rotogravure" printing is performed if the paper coating line complies with the emissions limitations in Section 218.401,

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and (2) that screen printing on paper is not regulated as paper coating, but is regulated under Subpart TT of Part 218.

- B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments include recordkeeping requirements for persons using add-on controls or an equivalent alternative control plan. These proposed requirements pertain to solvent purchase information, records for periodic inspection of the cold cleaning degreasers and add-on control equipment, records for repair of malfunctions and breakdowns, and other records pertaining to the use of good operating practices.
- C) Types of Professional skills necessary for compliance: No professional skills beyond those currently required by the existing state regulations applicable to affected sources will be required.

14) Regulatory Agenda on which this rulemaking was summarized: July 2006

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

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSIONS STANDARDS AND
LIMITATIONS FOR STATIONARY SOURCESPART 218
ORGANIC MATERIAL EMISSION STANDARDS AND
LIMITATIONS FOR THE CHICAGO AREA

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218.101	Savings Clause
218.102	Abbreviations and Conversion Factors
218.103	Applicability
218.104	Definitions
218.105	Test Methods and Procedures
218.106	Compliance Dates
218.107	Operation of Afterburners
218.108	Exemptions, Variations, and Alternative Means of Control or Compliance Determinations
218.109	Vapor Pressure of Volatile Organic Liquids
218.110	Vapor Pressure of Organic Material or Solvent
218.111	Vapor Pressure of Volatile Organic Material
218.112	Incorporations by Reference
218.113	Monitoring for Negligibly-Reactive Compounds
218.114	Compliance with Permit Conditions

SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

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218.119	Applicability for VOL
218.120	Control Requirements for Storage Containers of VOL
218.121	Storage Containers of VPL
218.122	Loading Operations
218.123	Petroleum Liquid Storage Tanks
218.124	External Floating Roofs
218.125	Compliance Dates

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- 218.126 Compliance Plan (Repealed)
- 218.127 Testing VOL Operations
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SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

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- 218.141 Separation Operations
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- 218.181 Solvent Cleaning in General
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- 218.204 Emission Limitations
- 218.205 Daily-Weighted Average Limitations
- 218.206 Solids Basis Calculation
- 218.207 Alternative Emission Limitations
- 218.208 Exemptions from Emission Limitations
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- 218.210 Compliance Schedule
- 218.211 Recordkeeping and Reporting
- 218.212 Cross-Line Averaging to Establish Compliance for Coating Lines
- 218.213 Recordkeeping and Reporting for Cross-Line Averaging Participating Coating Lines
- 218.214 Changing Compliance Methods
- 218.215 Wood Furniture Coating Averaging Approach
- 218.216 Wood Furniture Coating Add-On Control Use

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218.217 Wood Furniture Coating Work Practice Standards

SUBPART G: USE OF ORGANIC MATERIAL

Section

218.301 Use of Organic Material
218.302 Alternative Standard
218.303 Fuel Combustion Emission Units
218.304 Operations with Compliance Program

SUBPART H: PRINTING AND PUBLISHING

Section

218.401 Flexographic and Rotogravure Printing
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218.405 Lithographic Printing: Applicability
218.406 Provisions Applying to Heatset Web Offset Lithographic Printing Prior to March 15, 1996
218.407 Emission Limitations and Control Requirements for Lithographic Printing Lines On and After March 15, 1996
218.408 Compliance Schedule for Lithographic Printing On and After March 15, 1996
218.409 Testing for Lithographic Printing On and After March 15, 1996
218.410 Monitoring Requirements for Lithographic Printing
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RELATED INDUSTRIES; ASPHALT MATERIALS

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218.441	Petroleum Refinery Waste Gas Disposal
218.442	Vacuum Producing Systems
218.443	Wastewater (Oil/Water) Separator
218.444	Process Unit Turnarounds
218.445	Leaks: General Requirements
218.446	Monitoring Program Plan for Leaks
218.447	Monitoring Program for Leaks
218.448	Recordkeeping for Leaks
218.449	Reporting for Leaks
218.450	Alternative Program for Leaks
218.451	Sealing Device Requirements
218.452	Compliance Schedule for Leaks
218.453	Compliance Dates (Repealed)

SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

Section	
218.461	Manufacture of Pneumatic Rubber Tires
218.462	Green Tire Spraying Operations
218.463	Alternative Emission Reduction Systems
218.464	Emission Testing
218.465	Compliance Dates (Repealed)
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SUBPART T: PHARMACEUTICAL MANUFACTURING

Section	
218.480	Applicability

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- 218.481 Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers
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- 218.500 Applicability for Batch Operations
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- 218.502 Determination of Uncontrolled Total Annual Mass Emissions and Average Flow Rate Values for Batch Operations
- 218.503 Performance and Testing Requirements for Batch Operations
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- 218.505 Reporting and Recordkeeping for Batch Operations
- 218.506 Compliance Date
- 218.520 Emission Limitations for Air Oxidation Processes
- 218.521 Definitions (Repealed)
- 218.522 Savings Clause
- 218.523 Compliance
- 218.524 Determination of Applicability
- 218.525 Emission Limitations for Air Oxidation Processes
- 218.526 Testing and Monitoring
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SUBPART W: AGRICULTURE

Section

- 218.541 Pesticide Exception

SUBPART X: CONSTRUCTION

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- 218.561 Architectural Coatings

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- 218.562 Paving Operations
- 218.563 Cutback Asphalt

SUBPART Y: GASOLINE DISTRIBUTION

Section

- 218.581 Bulk Gasoline Plants
- 218.582 Bulk Gasoline Terminals
- 218.583 Gasoline Dispensing Operations – Storage Tank Filling Operations
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- 218.585 Gasoline Volatility Standards
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Section

- 218.601 Perchloroethylene Dry Cleaners (Repealed)
- 218.602 Applicability (Repealed)
- 218.603 Leaks (Repealed)
- 218.604 Compliance Dates (Repealed)
- 218.605 Compliance Plan (Repealed)
- 218.606 Exception to Compliance Plan (Repealed)
- 218.607 Standards for Petroleum Solvent Dry Cleaners
- 218.608 Operating Practices for Petroleum Solvent Dry Cleaners
- 218.609 Program for Inspection and Repair of Leaks
- 218.610 Testing and Monitoring
- 218.611 Applicability for Petroleum Solvent Dry Cleaners
- 218.612 Compliance Dates (Repealed)
- 218.613 Compliance Plan (Repealed)

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- 218.620 Applicability
- 218.621 Exemption for Waterbase Material and Heatset-Offset Ink
- 218.623 Permit Conditions (Repealed)
- 218.624 Open-Top Mills, Tanks, Vats or Vessels
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218.642	Emissions Limitation at Polystyrene Plants
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SUBPART CC: POLYESTER RESIN PRODUCT MANUFACTURING PROCESS

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218.666	Control Requirements
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218.670	Recordkeeping and Reporting for Exempt Emission Units
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Section	
218.680	Applicability
218.686	Control Requirements
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218.690	Recordkeeping and Reporting for Exempt Emission Units
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218.780	Emission Limitations
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218.784	Equipment Specifications
218.786	Surface Preparation Materials
218.787	Work Practices
218.788	Testing
218.789	Monitoring and Recordkeeping for Control Devices
218.790	General Recordkeeping and Reporting (Repealed)
218.791	Compliance Date
218.792	Registration
218.875	Applicability of Subpart BB (Renumbered)
218.877	Emissions Limitation at Polystyrene Plants (Renumbered)
218.879	Compliance Date (Repealed)
218.881	Compliance Plan (Repealed)
218.883	Special Requirements for Compliance Plan (Repealed)
218.886	Emissions Testing (Renumbered)

SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT
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Section	
218.920	Applicability
218.923	Permit Conditions (Repealed)
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218.929 Cementable and Dress or Performance Shoe Leather

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218.967 Compliance Schedule
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218.980 Applicability
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218.990 Exempt Emission Units
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218.APPENDIX A List of Chemicals Defining Synthetic Organic Chemical and
Polymer Manufacturing
218.APPENDIX B VOM Measurement Techniques for Capture Efficiency (Repealed)
218.APPENDIX C Reference Methods and Procedures

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218.APPENDIX D	Coefficients for the Total Resource Effectiveness Index (TRE) Equation
218.APPENDIX E	List of Affected Marine Terminals
218.APPENDIX G	TRE Index Measurements for SOCFI Reactors and Distillation Units
218.APPENDIX H	Baseline VOM Content Limitations for Subpart F, Section 218.212 Cross-Line Averaging

AUTHORITY: Implementing Section 10 and authorized by Sections 27, 28, 28.5 of the Environmental Protection Act [415 ILCS 5/10, and 28.5].

SOURCE: Adopted at R91-7 at 15 Ill. Reg. 12231, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13564, effective August 24, 1992; amended in R91-28 and R91-30 at 16 Ill. Reg. 13864, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16636, effective September 27, 1993; amended in R93-14 at 18 Ill. Reg. 1945, effective January 24, 1994; amended in R94-12 at 18 Ill. Reg. 14973, effective September 21, 1994; amended in R94-15 at 18 Ill. Reg. 16392, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16950, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6848, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7359, effective May 22, 1995; amended in R96-13 at 20 Ill. Reg. 14428, effective October 17, 1996; amended in R97-24 at 21 Ill. Reg. 7708, effective June 9, 1997; amended in R97-31 at 22 Ill. Reg. 3556, effective February 2, 1998; amended in R98-16 at 22 Ill. Reg. 14282, effective July 16, 1998; amended in R02-20 at 27 Ill. Reg. 7283, effective April 8, 2003; amended in R04-20 at 30 Ill. Reg. 9684, effective May 15, 2006; amended in R06-21 at 30 Ill. Reg. _____, effective _____.

SUBPART E: SOLVENT CLEANING

Section 218.182 Cold Cleaning

- a) Operating Procedures: No person shall operate a cold cleaning degreaser unless:
 - 1) Waste solvent is stored in covered containers only and not disposed of in such a manner that more than 20% of the waste solvent (by weight) is allowed to evaporate into the atmosphere;
 - 2) The cover of the degreaser is closed when parts are not being handled; and
 - 3) Parts are drained until dripping ceases.
- b) Equipment Requirements: No person shall operate a cold cleaning degreaser

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unless:

- 1) The degreaser is equipped with a cover which is closed whenever parts are not being handled in the cleaner. The cover shall be designed to be easily operated with one hand or with the mechanical assistance of springs, counter-weights or a powered system if:
 - A) The solvent vapor pressure is greater than 2 kPa (15 mmHg or 0.3 psi) measured at 38° C (100° F);
 - B) The solvent is agitated; or
 - C) The solvent is heated above ambient room temperature.
- 2) The degreaser is equipped with a device for draining cleaned parts. The drainage device shall be constructed so that parts are enclosed under the cover while draining unless:
 - A) The solvent vapor pressure is less than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38° C (100° F); or
 - B) An internal drainage device cannot be fitted into the cleaning system, in which case the drainage device may be external.
- 3) The degreaser is equipped with one of the following control devices if the vapor pressure of the solvent is greater than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38° C (100° F) or if the solvent is heated above 50° C (120° F) or its boiling point:
 - A) A freeboard height of $\frac{7}{10}$ of the inside width of the tank or 91 cm (36 in), whichever is less; or
 - B) Any other equipment or system of equivalent emission control as approved by the Agency and further processed consistent with Section 218.108 of this Part. Such a system may include a water cover, refrigerated chiller or carbon adsorber.
- 4) A permanent conspicuous label summarizing the operating procedure is affixed to the degreaser; and

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- 5) If a solvent spray is used, the degreaser is equipped with a solid fluid stream spray, rather than a fine, atomized or shower spray.
- c) Material [and Control](#) Requirements:
- 1) On and after March 15, 1999, no person shall:
 - A) Cause or allow the sale of solvent with a vapor pressure which exceeds 2.0 mmHg (0.038 psi) measured at 20° C (68° F) in units greater than five gallons, for use in cold cleaning degreasing operations located in the area covered by Section 218.103 of this Part.
 - B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 2.0 mmHg (0.038 psi) measured at 20° C (68° F).
 - 2) On and after March 15, 2001, no person shall:
 - A) Cause or allow the sale of solvent with a vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F) in units greater than five gallons, for use in cold cleaning degreasing operations located in the area covered by Section 218.103 of this Part.
 - B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F).
 - 3) [On and after November 30, 2006, no person shall:](#)
 - A) [Cause or allow the sale of solvent with a vapor pressure which exceeds 1.0 mmHg \(0.019 psi\) measured at 20° C \(68° F\) in units greater than five gallons, for use in cold cleaning degreasing operations located in the area covered by Section 218.103 of this Part, unless the purchaser provides a copy of a valid State or federal construction or operating permit or a copy of the Federal Register demonstrating that the purchaser is in compliance with the control requirements of subsection \(c\)\(4\) of this Section or is exempt under subsection \(f\) or \(g\) of this Section.](#)

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- B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F), unless the person is in compliance with the control requirements of subsection (c)(4) of this Section or is exempt under subsection (f) or (g) of this Section.
- 4) Control Requirements:
- A) A person may operate a cold cleaning degreaser using solvent with a vapor pressure greater than 1.0 mmHg (0.019 psi) but less than 56 mmHg (1.064 psi) measured at 20° C (68° F) provided add-on control devices demonstrating at least 95 percent overall capture and control of emissions are used. The add-on controls may include, but are not limited to, carbon adsorbers or afterburners.
- B) An equivalent alternative control plan may be used to meet the control requirements of this Section pursuant to Section 218.108 of this Part. Pursuant to the material requirements of subsection (c)(3)(B) of this Section, a solvent with a vapor pressure of 1.0 mmHg (0.019 psi) measured at 20° C (68° F) shall be the basis for assessment of equivalent emissions from any equivalent alternative control plan. If used as an equivalent alternative control plan, an add-on control must demonstrate at least a 95 percent overall capture and control efficiency. A control plan approved by the Agency shall be effective only when included in a federally enforceable permit or approved by the USEPA as a SIP revision pursuant to Section 218.108 of this Part.
- C) Add-on controls operating at a source prior to November 30, 2006 shall be tested by March 1, 2007. Add-on controls constructed on or after November 30, 2006 shall be tested within 90 days after initial startup. Testing procedures and recordkeeping for add-on controls and equivalent alternative controls subject to subsections (c)(4)(A) and (B) of this Section are to be performed pursuant to Section 218.105(c), (d), (e) and (f) of this Part.
- d) Recordkeeping and Reporting Requirements: On and after March 15, 1999:
- 1) All persons subject to the requirements of subsections (c)(1)(A), and (c)(2)(A), and (c)(3)(A) of this Section must maintain records which

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include for each sale:

- A) The name and address of the solvent purchaser;
- B) The date of sale;
- C) The type of solvent;
- D) The unit volume of solvent;
- E) The total volume of solvent; and
- F) The vapor pressure of the solvent measured in mmHg at 20° C (68° F).

2) All persons subject to the requirements of subsections (c)(1)(B), ~~and (c)(2)(B), and (c)(3)(B)~~ of this Section must maintain records which include for each purchase:

- A) The name and address of the solvent supplier;
- B) The date of purchase;
- C) The type of solvent; ~~and~~
- D) The vapor pressure of the solvent measured in mmHg at 20° C (68° F); ~~and-~~

E) For any mixture of solvents, the vapor pressure of the mixture, as used, measured in mmHg at 20° C (68° F).

3) All persons subject to the requirements of subsection (c)(4) of this Section must maintain records, which include for each purchase:

- A) The name and address of the solvent supplier;
- B) The date of purchase;
- C) The type of solvent;

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- D) The unit volume of solvent;
 - E) The total volume of solvent;
 - F) The vapor pressure of the solvent measured in mmHg at 20° C (68° F); and
 - G) For any mixture of solvents, the vapor pressure of the mixture, as used, measured in mmHg at 20° C (68° F).
- 4) All persons subject to the requirements of subsection (c)(4) of this Section shall maintain records documenting the use of good operating practices consistent with the equipment manufacturer's specifications for the cold cleaning degreasers and add-on control equipment. At a minimum these records shall include:
- A) Records for periodic inspection of the cold cleaning degreasers and add-on control equipment with date of inspection, individual performing the inspection, and nature of inspection;
 - B) Records for repair of malfunctions and breakdowns with identification and description of incident, date identified, date repaired, nature of repair, and the amount of VOM that escaped into the atmosphere as a result of the incident;
 - C) Control device monitoring and recording data; and
 - D) A daily log of operating time for the control device, monitoring equipment, and all associated degreasers.
- 5) All persons subject to the requirements of subsection (c) of this Section shall notify the Agency at least 30 days before changing the method of compliance between subsections (c)(3) and (c)(4) of this Section. Such notification shall include a demonstration of compliance with the newly applicable subsection.
- 6) All persons subject to the requirements of subsection (b) or (c) of this Section shall notify the Agency of any violation of subsection (b) or (c) of this Section by sending a description of the violation and copies of records

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[documenting such violations to the Agency within 30 days following the occurrence of the violation.](#)

- e) All records required by subsection (d) of this Section shall be retained for three years and shall be made available to the Agency upon request.
- f) The cleaning of electronic components as defined in 35 Ill. Adm. Code Section 211.1885 is exempt from the requirements of subsection (c) of this Section.
- g) Any cold cleaning taking place in a Detrex cold batch degreaser Model #2D-CC-SPL Size 24-4-10, or substantial equivalent, including automated loading of parts, totally enclosed operation (excluding loading or unloading) and permitted by the Agency, is exempt from the requirements of subsection (c) of this Section.

(Source: Amended at 30 Ill. Reg. _____, effective _____)

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Section 218.APPENDIX H Baseline VOM Content Limitations for Subpart F, Section 218.212 Cross-Line Averaging

This Appendix contains limitations for purposes of determining compliance with the requirements in Section 218.212 of this Part. A source must establish that, at very least, each participating coating line used for purposes of cross-line averaging meets the Federal Implementation Plan level of VOM content, as listed below. The emission limitations for participating coating lines that must not be exceeded are as follows:

a)	Automobile or Light-Duty Truck Coating	kg/l	lb/gal
1)	Prime coat	0.14	(1.2)
2)	Primer surface coat	1.81	(15.1)

(Note: The primer surface coat limitation is in units of kg (lbs) of VOM per l (gal) of coating solids deposited. Compliance with the limitation shall be based on the daily-weighted average from an entire primer surface operation. Compliance shall be demonstrated in accordance with the topcoat protocol referenced in Section 218.105(b) and the recordkeeping and reporting requirements specified in Section 218.211(f). Testing to demonstrate compliance shall be performed in accordance with the topcoat protocol and a detailed testing proposal approved by the Agency and USEPA specifying the method of demonstrating compliance with the protocol. Section 218.205 does not apply to the primer surface limitation.)

		kg/l	lb/gal
3)	Topcoat	1.81	(15.1)

(Note: The topcoat limitation is in units of kg (lbs) of VOM per l (gal) of coating solids deposited. Compliance with the limitation shall be based on the daily-weighted average from an entire topcoat operation. Compliance shall be demonstrated in accordance with the topcoat protocol referenced in Section 218.105(b) of this Part and the recordkeeping and reporting requirements specified in Section 218.211(f). Testing to demonstrate compliance shall be performed in accordance with the topcoat protocol and a detailed testing proposal approved by the Agency and USEPA specifying the method of demonstrating compliance with the protocol. Section 218.205 of this Part does not apply to the topcoat limitation.)

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		kg/l	lb/gal
4)	Final repair coat	0.58	(4.8)
b)	Can Coating	kg/l	lb/gal
1)	Sheet basecoat and overvarnish	0.34	(2.8)
2)	Exterior basecoat and overvarnish	0.34	(2.8)
3)	Interior body spray coat	0.51	(4.2)
4)	Exterior end coat	0.51	(4.2)
5)	Side seam spray coat	0.66	(5.5)
6)	End sealing compound coat	0.44	(3.7)
c)	Paper Coating	kg/l	lb/gal
		0.35	(2.9)

(Note: The paper coating limitation shall not apply to any owner or operator of any paper coating line on which [flexographic or rotogravure](#) printing is performed if the paper coating line complies with the emissions limitations in [Subpart H: Printing and Publishing](#), Section 218.401 of this Part. [In addition, screen printing on paper is not regulated as paper coating, but is regulated under Subpart TT of this Part.](#))

		kg/l	lb/gal
d)	Coil Coating	0.31	(2.6)
e)	Fabric Coating	0.35	(2.9)
f)	Vinyl Coating	0.45	(3.8)
g)	Metal Furniture Coating		
1)	Air Dried	0.36	(3.0)
2)	Baked	0.36	(3.0)
h)	Large Appliance Coating		
1)	Air Dried	0.34	(2.8)
2)	Baked	0.34	(2.8)

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(Note: The limitation shall not apply to the use of quick-drying lacquers for repair of scratches and nicks that occur during assembly, provided that the volume of coating does not exceed 0.95 l (1 quart) in any one rolling eight-hour period.)

		kg/l	lb/gal
i)	Magnet Wire Coating	0.20	(1.7)
j)	Miscellaneous Metal Parts and Products Coating		
	1) Clear coating	0.52	(4.3)
	2) Extreme performance coating		
	A) Air Dried	0.42	(3.5)
	B) Baked	0.42	(3.5)
	3) Steel pail and drum interior coating	0.52	(4.3)
	4) All other coatings		
	A) Air Dried	0.42	(3.5)
	B) Baked	0.36	(3.0)
k)	Heavy Off-Highway Vehicle Products Coating	kg/l	lb/gal
	1) Extreme performance prime coat	0.42	(3.5)
	2) Extreme topcoat (air dried)	0.42	(3.5)
	3) Final repair coat (air dried)	0.42	(3.5)
	4) All other coatings are subject to the emission limitations for miscellaneous metal parts and products coatings in subsection (j) above.		
l)	Wood Furniture Coating	kg/l	lb/gal
	1) Clear topcoat	0.67	(5.6)
	2) Opaque stain	0.56	(4.7)
	3) Pigmented coat	0.60	(5.0)
	4) Repair coat	0.67	(5.6)
	5) Sealer	0.67	(5.6)
	6) Semi-transparent stain	0.79	(6.6)
	7) Wash coat	0.73	(6.1)

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(Note: An owner or operator of a wood furniture coating operation subject to this Section shall apply all coatings, with the exception of no more than 37.8 l (10 gal) of coating per day used for touch-up and repair operations, using one or more of the following application systems: airless spray application system, air-assisted airless spray application system, electrostatic spray application system, electrostatic bell or disc spray application system, heated airless spray application system, roller coating, brush or wipe coating application system, dip coating application system or high volume low pressure (HVLP) application system.)

m)	Existing Diesel-Electric Locomotive Coating Lines in Cook County	kg/l	lb/gal
1)	Extreme performance prime coat	0.42	(3.5)
2)	Extreme performance topcoat	0.42	(3.5)
3)	Final repair coat (air dried)	0.42	(3.5)
4)	High temperature aluminum coating	0.72	(6.0)
5)	All other coatings	0.36	(3.0)
n)	Plastic Parts Coating: Automotive/Transportation	kg/l	lb/gal
1)	Interiors		
A)	Baked		
i)	Color coat	0.49	(4.1)
ii)	Primer	0.46	(3.8)
B)	Air Dried		
i)	Color coat	0.38	(3.2)
ii)	Primer	0.42	(3.5)
2)	Exteriors (flexible and non-flexible)		
A)	Baked		
i)	Primer	0.60	(5.0)
ii)	Primer nonflexible	0.54	(4.5)
iii)	Clear coat	0.52	(4.3)

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	iv)	Color coat	0.55	(4.6)
B)		Air Dried		
	i)	Primer	0.66	(5.5)
	ii)	Clear coat	0.54	(4.5)
	iii)	Color coat (red & black)	0.67	(5.6)
	iv)	Color coat (others)	0.61	(5.1)
3)		Specialty		
	A)	Vacuum metallizing basecoats, texture basecoats	0.66	(5.5)
	B)	Black coatings, reflective argent coatings, air bag cover coatings, and soft coatings	0.71	(5.9)
	C)	Gloss reducers, vacuum metallizing topcoats, and texture topcoats	0.77	(6.4)
	D)	Stencil coatings, adhesion primers, ink pad coatings, electrostatic prep coatings, and resist coatings	0.82	(6.8)
	E)	Head lamp lens coatings	0.89	(7.4)
o)		Plastic Parts Coating: Business Machine	kg/l	lb/gal
	1)	Primer	0.14	(1.2)
	2)	Color coat (non-texture coat)	0.28	(2.3)
	3)	Color (texture coat)	0.28	(2.3)
	4)	Electromagnetic interference/radio frequency interference (EMI/RFI) shielding coatings	0.48	(4.0)
	5)	Specialty coatings		
	A)	Soft coat	0.52	(4.3)
	B)	Plating resist	0.71	(5.9)
	C)	Plating sensitizer	0.85	(7.1)*

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(Source: Amended at 30 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Organic Material Emission Standards and Limitations for the Metro East Area
- 2) Code Citation: 35 Ill. Adm. Code 219
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
219.182	Amend
219.APPENDIX H	Amend
- 4) Statutory Authority: Implementing Section 10 and authorized by Sections 27, 28, 28.5 of the Environmental Protection Act [415 ILCS 5/10, 27, 28, and 28.5]
- 5) A Complete Description of the Subjects and Issues Involved: For a more detailed discussion of these amendments see the Board's September 21, 2006, opinion and order in docket R06-21. This rulemaking proposes amendments to Parts 218 and 219 of the volatile organic material (VOM) rules to allow for the use of add-on controls as a compliance option for operations using cold cleaning solvent degreasing. The proposed amendments affect cold cleaning degreasing operations located in the Chicago and Metro-East ozone nonattainment areas. The amendments to Part 218 are also proposed in this issue of the *Illinois Register*.

The proposed amendments would allow the use of add-on controls as an alternative to using solvents with vapor pressure of 1.0 millimeters of mercury (mmHg) or less. Additionally, the proposal would allow the use of an equivalent alternative control plan to comply with the control measure requirements. The proposed amendments include testing procedures and recordkeeping requirements for add-on controls and equivalent alternative controls.

Amendments are also proposed to the "paper coating" note at Appendix H in Part 219 to ensure consistency with the already-amended "paper coating" note at Section 219.204(c).
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No

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- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This proposed rule does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2004)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for 45 days after the date of publication in the *Illinois Register*. Comments should reference Docket R06-21 and be addressed to:

Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago IL 60601

Interested persons may request copies of the Board's opinion and order by calling Dorothy Gunn at 312-814-3620, or download from the Board's Web site at www.ipcb.state.il.us.

For more information contact John Knittle at 217/278-3111 or email at knittlej@ipcb.state.il.us.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: The proposed amendments may impact any small business, small municipality, and not for profit corporation that uses cold cleaning solvent degreasing. The Illinois Environmental Protection Agency identified four companies (Diversapack, Printpack, MPC Products, and Pechiney Plastic Packaging) as cold cleaning degreaser point sources that are using add-on controls. All four facilities, however, are located in the Chicago area.

The proposal would also amend the "paper coating" note at Appendix H so that it reflects the amendments to the same note at Section 219.204(c), which amendments became effective on May 15, 2006. The amended note clarifies (1) that the paper coating limitation does not apply to any owner or operator of any paper coating line on which "flexographic or rotogravure" printing is performed if the paper coating line complies with the emissions limitations in Section 219.401,

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and (2) that screen printing on paper is not regulated as paper coating, but is regulated under Subpart TT of Part 219.

- B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments include recordkeeping requirements for persons using add-on controls or an equivalent alternative control plan. These proposed requirements pertain to solvent purchase information, records for periodic inspection of the cold cleaning degreasers and add-on control equipment, records for repair of malfunctions and breakdowns, and other records pertaining to the use of good operating practices.
- C) Types of Professional skills necessary for compliance: No professional skills beyond those currently required by the existing state regulations applicable to affected sources will be required.

14) Regulatory Agenda on which this rulemaking was summarized: July 2006

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

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSIONS STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCESPART 219
ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS
FOR THE METRO EAST AREA

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219.100	Introduction
219.101	Savings Clause
219.102	Abbreviations and Conversion Factors
219.103	Applicability
219.104	Definitions
219.105	Test Methods and Procedures
219.106	Compliance Dates
219.107	Operation of Afterburners
219.108	Exemptions, Variations, and Alternative Means of Control or Compliance Determinations
219.109	Vapor Pressure of Volatile Organic Liquids
219.110	Vapor Pressure of Organic Material or Solvent
219.111	Vapor Pressure of Volatile Organic Material
219.112	Incorporations by Reference
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SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section	
219.119	Applicability for VOL
219.120	Control Requirements for Storage Containers of VOL
219.121	Storage Containers of VPL
219.122	Loading Operations
219.123	Petroleum Liquid Storage Tanks
219.124	External Floating Roofs
219.125	Compliance Dates
219.126	Compliance Plan (Repealed)

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- 219.127 Testing VOL Operations
- 219.128 Monitoring VOL Operations
- 219.129 Recordkeeping and Reporting for VOL Operations

SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

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- 219.141 Separation Operations
- 219.142 Pumps and Compressors
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SUBPART E: SOLVENT CLEANING

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- 219.181 Solvent Cleaning in General
- 219.182 Cold Cleaning
- 219.183 Open Top Vapor Degreasing
- 219.184 Conveyorized Degreasing
- 219.185 Compliance Schedule (Repealed)
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SUBPART F: COATING OPERATIONS

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- 219.204 Emission Limitations
- 219.205 Daily-Weighted Average Limitations
- 219.206 Solids Basis Calculation
- 219.207 Alternative Emission Limitations
- 219.208 Exemptions From Emission Limitations
- 219.209 Exemption From General Rule on Use of Organic Material
- 219.210 Compliance Schedule
- 219.211 Recordkeeping and Reporting
- 219.212 Cross-Line Averaging to Establish Compliance for Coating Lines
- 219.213 Recordkeeping and Reporting for Cross-Line Averaging Participating Coating Lines
- 219.214 Changing Compliance Methods
- 219.215 Wood Furniture Coating Averaging Approach
- 219.216 Wood Furniture Coating Add-On Control Use
- 219.217 Wood Furniture Coating Work Practice Standards

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SUBPART G: USE OF ORGANIC MATERIAL

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219.301	Use of Organic Material
219.302	Alternative Standard
219.303	Fuel Combustion Emission Units
219.304	Operations with Compliance Program

SUBPART H: PRINTING AND PUBLISHING

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219.401	Flexographic and Rotogravure Printing
219.402	Applicability
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219.404	Recordkeeping and Reporting
219.405	Lithographic Printing: Applicability
219.406	Provisions Applying to Heatset Web Offset Lithographic Printing Prior to March 15, 1996
219.407	Emission Limitations and Control Requirements for Lithographic Printing Lines On and After March 15, 1996
219.408	Compliance Schedule for Lithographic Printing On and After March 15, 1996
219.409	Testing for Lithographic Printing On and After March 15, 1996
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SUBPART Q: SYNTHETIC ORGANIC CHEMICAL AND POLYMER
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219.421	General Requirements
219.422	Inspection Program Plan for Leaks
219.423	Inspection Program for Leaks
219.424	Repairing Leaks
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219.426	Report for Leaks
219.427	Alternative Program for Leaks
219.428	Open-Ended Valves
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219.431	Applicability
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SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES;
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219.441	Petroleum Refinery Waste Gas Disposal
219.442	Vacuum Producing Systems
219.443	Wastewater (Oil/Water) Separator
219.444	Process Unit Turnarounds
219.445	Leaks: General Requirements
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219.447	Monitoring Program for Leaks
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219.450	Alternative Program for Leaks
219.451	Sealing Device Requirements
219.452	Compliance Schedule for Leaks
219.453	Compliance Dates (Repealed)

SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

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219.461	Manufacture of Pneumatic Rubber Tires
219.462	Green Tire Spraying Operations
219.463	Alternative Emission Reduction Systems
219.464	Emission Testing
219.465	Compliance Dates (Repealed)
219.466	Compliance Plan (Repealed)

SUBPART T: PHARMACEUTICAL MANUFACTURING

Section	
219.480	Applicability
219.481	Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum

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	Dryers
219.482	Control of Air Dryers, Production Equipment Exhaust Systems and Filters
219.483	Material Storage and Transfer
219.484	In-Process Tanks
219.485	Leaks
219.486	Other Emission Units
219.487	Testing
219.488	Monitoring for Air Pollution Control Equipment
219.489	Recordkeeping for Air Pollution Control Equipment

SUBPART V: BATCH OPERATIONS AND AIR OXIDATION PROCESSES

Section	
219.500	Applicability for Batch Operations
219.501	Control Requirements for Batch Operations
219.502	Determination of Uncontrolled Total Annual Mass Emissions and Actual Weighted Average Flow Rate Values for Batch Operations
219.503	Performance and Testing Requirements for Batch Operations
219.504	Monitoring Requirements for Batch Operations
219.505	Reporting and Recordkeeping for Batch Operations
219.506	Compliance Date
219.520	Emission Limitations for Air Oxidation Processes
219.521	Definitions (Repealed)
219.522	Savings Clause
219.523	Compliance
219.524	Determination of Applicability
219.525	Emission Limitations for Air Oxidation Processes (Renumbered)
219.526	Testing and Monitoring
219.527	Compliance Date (Repealed)

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Section	
219.541	Pesticide Exception

SUBPART X: CONSTRUCTION

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219.561	Architectural Coatings
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219.563 Cutback Asphalt

SUBPART Y: GASOLINE DISTRIBUTION

Section

219.581 Bulk Gasoline Plants
219.582 Bulk Gasoline Terminals
219.583 Gasoline Dispensing Operations – Storage Tank Filling Operations
219.584 Gasoline Delivery Vessels
219.585 Gasoline Volatility Standards
219.586 Gasoline Dispensing Operations – Motor Vehicle Fueling Operations (Repealed)

SUBPART Z: DRY CLEANERS

Section

219.601 Perchloroethylene Dry Cleaners (Repealed)
219.602 Exemptions (Repealed)
219.603 Leaks (Repealed)
219.604 Compliance Dates (Repealed)
219.605 Compliance Plan (Repealed)
219.606 Exception to Compliance Plan (Repealed)
219.607 Standards for Petroleum Solvent Dry Cleaners
219.608 Operating Practices for Petroleum Solvent Dry Cleaners
219.609 Program for Inspection and Repair of Leaks
219.610 Testing and Monitoring
219.611 Exemption for Petroleum Solvent Dry Cleaners
219.612 Compliance Dates (Repealed)
219.613 Compliance Plan (Repealed)

SUBPART AA: PAINT AND INK MANUFACTURING

Section

219.620 Applicability
219.621 Exemption for Waterbase Material and Heatset-Offset Ink
219.623 Permit Conditions
219.624 Open-Top Mills, Tanks, Vats or Vessels
219.625 Grinding Mills
219.626 Storage Tanks
219.628 Leaks
219.630 Clean Up

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- 219.636 Compliance Schedule
- 219.637 Recordkeeping and Reporting

SUBPART BB: POLYSTYRENE PLANTS

- Section
- 219.640 Applicability
- 219.642 Emissions Limitation at Polystyrene Plants
- 219.644 Emissions Testing

SUBPART FF: BAKERY OVENS

- Section
- 219.720 Applicability (Repealed)
- 219.722 Control Requirements (Repealed)
- 219.726 Testing (Repealed)
- 219.727 Monitoring (Repealed)
- 219.728 Recordkeeping and Reporting (Repealed)
- 219.729 Compliance Date (Repealed)
- 219.730 Certification (Repealed)

SUBPART GG: MARINE TERMINALS

- Section
- 219.760 Applicability
- 219.762 Control Requirements
- 219.764 Compliance Certification
- 219.766 Leaks
- 219.768 Testing and Monitoring
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SUBPART HH: MOTOR VEHICLE REFINISHING

- Section
- 219.780 Emission Limitations
- 219.782 Alternative Control Requirements
- 219.784 Equipment Specifications
- 219.786 Surface Preparation Materials
- 219.787 Work Practices
- 219.788 Testing

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219.789	Monitoring and Recordkeeping for Control Devices
219.790	General Recordkeeping and Reporting (Repealed)
219.791	Compliance Date
219.792	Registration
219.875	Applicability of Subpart BB (Renumbered)
219.877	Emissions Limitation at Polystyrene Plants (Renumbered)
219.879	Compliance Date (Repealed)
219.881	Compliance Plan (Repealed)
219.883	Special Requirements for Compliance Plan (Repealed)
219.886	Emissions Testing (Renumbered)

SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT
MANUFACTURING PROCESSES

Section	
219.920	Applicability
219.923	Permit Conditions
219.926	Control Requirements
219.927	Compliance Schedule
219.928	Testing

SUBPART QQ: MISCELLANEOUS FORMULATION
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Section	
219.940	Applicability
219.943	Permit Conditions
219.946	Control Requirements
219.947	Compliance Schedule
219.948	Testing

SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL
MANUFACTURING PROCESSES

Section	
219.960	Applicability
219.963	Permit Conditions
219.966	Control Requirements
219.967	Compliance Schedule
219.968	Testing

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SUBPART TT: OTHER EMISSION UNITS

Section	
219.980	Applicability
219.983	Permit Conditions
219.986	Control Requirements
219.987	Compliance Schedule
219.988	Testing

SUBPART UU: RECORDKEEPING AND REPORTING

Section	
219.990	Exempt Emission Units
219.991	Subject Emission Units

219.APPENDIX A	List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing
219.APPENDIX B	VOM Measurement Techniques for Capture Efficiency (Repealed)
219.APPENDIX C	Reference Methods and Procedures
219.APPENDIX D	Coefficients for the Total Resource Effectiveness Index (TRE) Equation
219.APPENDIX E	List of Affected Marine Terminals
219.APPENDIX G	TRE Index Measurements for SOCFI Reactors and Distillation Units
219.APPENDIX H	Baseline VOM Content Limitations for Subpart F, Section 219.212 Cross-Line Averaging

AUTHORITY: Implementing Section 10 and authorized by Sections 27, 28 and 28.5 of the Environmental Protection Act [415 ILCS 5/10, 27, 28 and 28.5].

SOURCE: Adopted in R91-8 at 15 Ill. Reg. 12491, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13597, effective August 24, 1992; amended in R91-30 at 16 Ill. Reg. 13883, effective August 24, 1992; emergency amendment in R93-12 at 17 Ill. Reg. 8295, effective May 24, 1993, for a maximum of 150 days; amended in R93-9 at 17 Ill. Reg. 16918, effective September 27, 1993 and October 21, 1993; amended in R93-28 at 18 Ill. Reg. 4242, effective March 3, 1994; amended in R94-12 at 18 Ill. Reg. 14987, effective September 21, 1994; amended in R94-15 at 18 Ill. Reg. 16415, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16980, effective November 15, 1994; emergency amendment in R95-10 at 19 Ill. Reg. 3059, effective February 28, 1995, for a maximum of 150 days; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6958, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7385, effective May 22, 1995; amended in R96-2 at 20 Ill. Reg. 3848, effective February 15, 1996;

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amended in R96-13 at 20 Ill. Reg. 14462, effective October 28, 1996; amended in R97-24 at 21 Ill. Reg. 7721, effective June 9, 1997; amended in R97-31 at 22 Ill. Reg. 3517, effective February 2, 1998; amended in R04-12/20 at 30 Ill. Reg. 9799, effective May 15, 2006; amended in R06-21 at 30 Ill. Reg. _____, effective _____.

SUBPART E: SOLVENT CLEANING

Section 219.182 Cold Cleaning

- a) Operating Procedures: No person shall operate a cold cleaning degreaser unless:
 - 1) Waste solvent is stored in covered containers only and not disposed of in such a manner that more than 20% of the waste solvent (by weight) is allowed to evaporate into the atmosphere;
 - 2) The cover of the degreaser is closed when parts are not being handled; and
 - 3) Parts are drained until dripping ceases.
- b) Equipment Requirements: No person shall operate a cold cleaning degreaser unless:
 - 1) The degreaser is equipped with a cover which is closed whenever parts are not being handled in the cleaner. The cover shall be designed to be easily operated with one hand or with the mechanical assistance of springs, counter-weights or a powered system if:
 - A) The solvent vapor pressure is greater than 2 kPa (15 mmHg or 0.3 psi) measured at 38° C (100° F);
 - B) The solvent is agitated; or
 - C) The solvent is heated above ambient room temperature.
 - 2) The degreaser is equipped with a device for draining cleaned parts. The drainage device shall be constructed so that parts are enclosed under the cover while draining unless:
 - A) The solvent vapor pressure is less than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38° C (100°F); or

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- B) An internal drainage device cannot be fitted into the cleaning system, in which case the drainage device may be external.
- 3) The degreaser is equipped with one of the following control devices if the vapor pressure of the solvent is greater than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38° C (100° F) or if the solvent is heated above 50° C (120° F) or its boiling point:
- A) A freeboard height of $\frac{7}{10}$ of the inside width of the tank or 91 cm (36 in), whichever is less; or
 - B) Any other equipment or system of equivalent emission control as approved by the Agency and further processed consistent with Section 219.108 of this Part. Such a system may include a water cover, refrigerated chiller or carbon adsorber.
- 4) A permanent conspicuous label summarizing the operating procedure is affixed to the degreaser; and
- 5) If a solvent spray is used, the degreaser is equipped with a solid fluid stream spray, rather than a fine, atomized or shower spray.
- c) Material and Control Requirements:
- 1) On and after March 15, 1999, no person shall:
 - A) Cause or allow the sale of solvent with a vapor pressure which exceeds 2.0 mmHg (0.038 psi) measured at 20° C (68° F) in units greater than five (5) gallons, for use in cold cleaning degreasing operations located in the area covered by Section 219.103 of this Part.
 - B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 2.0 mmHg (0.038 psi) measured at 20° C (68° F).
 - 2) On and after March 15, 2001, no person shall:
 - A) Cause or allow the sale of solvent with a vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F) in units

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greater than five (5) gallons, for use in cold cleaning degreasing operations located in the area covered by Section 219.103 of this Part.

- B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F).

3) On and after November 30, 2006, no person shall:

A) Cause or allow the sale of solvent with a vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F) in units greater than five gallons, for use in cold cleaning degreasing operations located in the area covered by Section 219.103 of this Part, unless the purchaser provides a copy of a valid State or federal construction or operating permit or a copy of the Federal Register demonstrating that the purchaser is in compliance with the control requirements of subsection (c)(4) of this Section or is exempt under subsection (f) or (g) of this Section.

B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F), unless the person is in compliance with the control requirements of subsection (c)(4) of this Section or is exempt under subsection (f) or (g) of this Section.

4) Control Requirements:

A) A person may operate a cold cleaning degreaser using solvent with a vapor pressure greater than 1.0 mmHg (0.019 psi) but less than 56 mmHg (1.064 psi) measured at 20° C (68° F) provided add-on control devices demonstrating at least 95 percent overall capture and control of emissions are used. The add-on controls may include, but are not limited to, carbon adsorbers or afterburners.

B) An equivalent alternative control plan may be used to meet the control requirements of this Section pursuant to Section 219.108 of this Part. Pursuant to the material requirements of subsection (c)(3)(B) of this Section, a solvent with a vapor pressure of 1.0 mmHg (0.019 psi) measured at 20° C (68° F) shall be the basis for assessment of equivalent emissions from any equivalent alternative

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control plan. If used as an equivalent alternative control plan, an add-on control must demonstrate at least a 95 percent overall capture and control efficiency. A control plan approved by the Agency shall be effective only when included in a federally enforceable permit or approved by the USEPA as a SIP revision pursuant to Section 219.108 of this Part.

C) Add-on controls operating at a source prior to November 30, 2006 shall be tested by March 1, 2007. Add-on controls constructed on or after November 30, 2006 shall be tested within 90 days after initial startup. Testing procedures and recordkeeping for add-controls and equivalent alternative controls subject to subsections (c)(4)(A) and (B) of this Section are to be performed pursuant to Section 219.105(c), (d), (e) and (f) of this Part.

- d) Recordkeeping and Reporting Requirements: On and after March 15, 1999:
- 1) All persons subject to the requirements of subsections (c)(1)(A), ~~and~~ (c)(2)(A), and (c)(3)(A) of this Section must maintain records which include for each sale:
 - A) The name and address of the solvent purchaser;
 - B) The date of sale;
 - C) The type of solvent;
 - D) The unit volume of solvent;
 - E) The total volume of solvent; and
 - F) The vapor pressure of the solvent measured in mmHg at 20° C (68° F).
 - 2) All persons subject to the requirements of subsections (c)(1)(B), ~~and~~ (c)(2)(B), and (c)(3)(B) of this Section must maintain records which include for each purchase:
 - A) The name and address of the solvent supplier;

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- B) The date of purchase;
 - C) The type of solvent; ~~and~~
 - D) The vapor pressure of the solvent measured in mmHg at 20° C (68° F); ~~and-~~
 - E) For any mixture of solvents, the vapor pressure of the mixture, as used, measured in mmHg at 20° C (68° F).
- 3) All persons subject to the requirements of subsection (c)(4) of this Section must maintain records, which include for each purchase:
- A) The name and address of the solvent supplier;
 - B) The date of purchase;
 - C) The type of solvent;
 - D) The unit volume of solvent;
 - E) The total volume of solvent;
 - F) The vapor pressure of the solvent measured in mmHg at 20° C (68° F); and
 - G) For any mixture of solvents, the vapor pressure of the mixture, as used, measured in mmHg at 20° C (68° F).
- 4) All persons subject to the requirements of subsection (c)(4) of this Section shall maintain records documenting the use of good operating practices consistent with the equipment manufacturer's specifications for the cold cleaning degreasers and add-on control equipment. At a minimum these records shall include:
- A) Records for periodic inspection of the cold cleaning degreasers and add-on control equipment with date of inspection, individual performing the inspection, and nature of inspection;

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- B) Records for repair of malfunctions and breakdowns with identification and description of incident, date identified, date repaired, nature of repair, and the amount of VOM that escaped into the atmosphere as a result of the incident;
 - C) Control device monitoring and recording data; and
 - D) A daily log of operating time for the control device, monitoring equipment, and all associated degreasers.
- 5) All persons subject to the requirements of subsection (c) of this Section shall notify the Agency at least 30 days before changing the method of compliance between subsection (c)(3) and (c)(4) of this Section. Such notification shall include a demonstration of compliance with the newly applicable subsection.
- 6) All persons subject to the requirements of subsection (b) or (c) of this Section shall notify the Agency of any violation of subsection (b) or (c) of this Section by sending a description of the violation and copies of records documenting such violations to the Agency within 30 days following the occurrence of the violation.
- e) All records required by subsection (d) of this Section shall be retained for three years and shall be made available to the Agency upon request.
- f) The cleaning of electronic components as defined in 35 Ill. Adm. Code Section 211.1885 is exempt from the requirements of subsection (c) of this Section.
- g) Any cold cleaning taking place in a Detrex cold batch degreaser Model #2D-CC-SPL Size 24-4-10, or substantial equivalent, including automated loading of parts, totally enclosed operation (excluding loading and unloading) and permitted by the Agency, is exempt from the requirements of subsection (c) of this Section.

(Source: Amended at 30 Ill. Reg. _____, effective _____)

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Section 219.APPENDIX H Baseline VOM Content Limitations for Subpart F, Section 219.212 Cross-Line Averaging

This Appendix contains limitations for purposes of determining compliance with the requirements in Section 219.212 of this Part. A source must establish that, at very least, each participating coating line used for purposes of cross-line averaging meets the Federal Implementation Plan level of VOM content, as listed below. The emission limitations for participating coating lines that must not be exceeded are as follows:

		kg/l	lb/gal
a)	Automobile or Light-Duty Truck Coating		
	1) Prime coat	0.14	(1.2)
	2) Primer surface coat	1.81	(15.1)

(Note: The primer surface coat limitation is in units of kg (lbs) of VOM per l (gal) of coating solids deposited. Compliance with the limitation shall be based on the daily-weighted average from an entire primer surface operation. Compliance shall be demonstrated in accordance with the topcoat protocol referenced in Section 219.105(b) and the recordkeeping and reporting requirements specified in Section 219.211(f). Testing to demonstrate compliance shall be performed in accordance with the topcoat protocol and a detailed testing proposal approved by the Agency and USEPA specifying the method of demonstrating compliance with the protocol. Section 219.205 does not apply to the primer surface limitation.)

		kg/l	lb/gal
3)	Topcoat	1.81	(15.1)

(Note: The topcoat limitation is in units of kg (lbs) of VOM per l (gal) of coating solids deposited. Compliance with the limitation shall be based on the daily-weighted average from an entire topcoat operation. Compliance shall be demonstrated in accordance with the topcoat protocol referenced in Section 219.105(b) of this Part and the recordkeeping and reporting requirements specified in Section 219.211(f). Testing to demonstrate compliance shall be performed in accordance with the topcoat protocol and a detailed testing proposal

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approved by the Agency and USEPA specifying the method of demonstrating compliance with the protocol. Section 219.205 of this Part does not apply to the topcoat limitation.)

		kg/1	lb/gal
	4) Final repair coat	0.58	(4.8)
b)	Can Coating	kg/1	lb/gal
	1) Sheet basecoat and overvarnish	0.34	(2.8)
	2) Exterior basecoat and overvarnish	0.34	(2.8)
	3) Interior body spray coat	0.51	(4.2)
	4) Exterior end coat	0.51	(4.2)
	5) Side seam spray coat	0.66	(5.5)
	6) End sealing compound coat	0.44	(3.7)
		kg/1	lb/gal
c)	Paper Coating	0.35	(2.9)
	(Note: The paper coating limitation shall not apply to any owner or operator of any paper coating line on which <u>flexographic or rotogravure</u> printing is performed if the paper coating line complies with the emissions limitations in <u>Subpart H: Printing and Publishing</u> , Section 219.401 of this Part. <u>In addition, screen printing on paper is not regulated as paper coating, but is regulated under Subpart TT of this Part.</u>)		
		kg/1	lb/gal
d)	Coil Coating	0.31	(2.6)
e)	Fabric Coating	0.35	(2.9)
f)	Vinyl Coating	0.45	(3.8)

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g)	Metal Furniture Coating		
	1) Air Dried	0.36	(3.0)
	2) Baked	0.36	(3.0)
h)	Large Appliance Coating		
	1) Air Dried	0.34	(2.8)
	2) Baked	0.34	(2.8)
 (Note: The limitation shall not apply to the use of quick-drying lacquers for repair of scratches and nicks that occur during assembly, provided that the volume of coating does not exceed 0.95 l (1 quart) in any one rolling eight-hour period.)			
		kg/l	lb/gal
i)	Magnet Wire Coating	0.20	(1.7)
j)	Miscellaneous Metal Parts and Products Coating		
	1) Clear coating	0.52	(4.3)
	2) Extreme performance coating		
	A) Air Dried	0.42	(3.5)
	B) Baked	0.42	(3.5)
	3) Steel pail and drum interior coating	0.52	(4.3)
	4) All other coatings		
	A) Air Dried	0.42	(3.5)
	B) Baked	0.36	(3.0)

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k)	Heavy Off-Highway Vehicle Products Coating	kg/l	lb/gal
	1) Extreme performance prime coat	0.42	(3.5)
	2) Extreme performance topcoat (air dried)	0.42	(3.5)
	3) Final repair coat (air dried)	0.42	(3.5)
	4) All other coatings are subject to the emission limitations for miscellaneous metal parts and products coatings subsection (j) above.		
l)	Wood Furniture Coating	kg/l	lb/gal
	1) Clear topcoat	0.67	(5.6)
	2) Opaque stain	0.56	(4.7)
	3) Pigmented coat	0.60	(5.0)
	4) Repair coat	0.67	(5.6)
	5) Sealer	0.67	(5.6)
	6) Semi-transparent stain	0.79	(6.6)
	7) Wash coat	0.73	(6.1)

(Note: An owner or operator of a wood furniture coating operation subject to this Section shall apply all coatings, with the exception of no more than 37.8 l (10 gal) of coating per day used for touch-up and repair operations, using one or more of the following application systems: airless spray application system, air-assisted airless spray application system, electrostatic spray application system, electrostatic bell or disc spray application system, heated airless spray application system, roller coating, brush or wipe coating application system, dip coating application system or high volume low pressure (HVL) application system.)

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m)	Plastic Parts Coating: Automotive/Transportation		
		kg/l	lb/gal
1)	Interiors		
	A) Baked		
	i) Color coat	0.49*	(4.1)*
	ii) Primer	0.46*	(3.8)*
	B) Air Dried		
	i) Color coat	0.38*	(3.2)*
	ii) Primer	0.42*	(3.5)*
2)	Exteriors (flexible and non-flexible)		
	A) Baked		
	i) Primer	0.60*	(5.0)*
	ii) Primer non-flexible	0.54*	(4.5)*
	iii) Clear coat	0.52*	(4.3)*
	iv) Color coat	0.55*	(4.6)*
	B) Air Dried		
	i) Primer	0.66*	(5.5)*
	ii) Clear coat	0.54*	(4.5)*
	iii) Color coat (red & black)	0.67*	(5.6)*

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	iv)	Color coat (others)	0.61*	(5.1)*
3)		Specialty		
	A)	Vacuum metallizing basecoats, texture basecoats	0.66*	(5.5)*
	B)	Black coatings, reflective argent coatings, air bag cover coatings, and soft coatings	0.71*	(5.9)*
	C)	Gloss reducers, vacuum metallizing topcoats, and texture topcoats	0.77*	(6.4)*
	D)	Stencil coatings, adhesion primers, ink pad coatings, electrostatic prep coatings, and resist coatings	0.82*	(6.8)*
	E)	Head lamp lens coatings	0.89*	(7.4)*
n)		Plastic Parts Coating: Business Machine		
			kg/l	lb/gal
	1)	Primer	0.14*	(1.2)*
	2)	Color coat (non-texture coat)	0.28*	(2.3)*
	3)	Color coat (texture coat)	0.28*	(2.3)*
	4)	Electromagnetic interference/radio frequency interference (EMI/RFI) shielding coatings	0.48*	(4.0)*

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- 5) Specialty Coatings
- | | | |
|-----------------------|-------|--------|
| A) Soft coat | 0.52* | (4.3)* |
| B) Plating resist | 0.71* | (5.9)* |
| C) Plating sensitizer | 0.85* | (7.1)* |

(Source: Amended at 30 Ill. Reg. _____, effective _____)

SECRETARY OF STATE

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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 Proposed Action: Amendment
- 4) Statutory Authority: 625 ILCS 5/2-104 and 625 ILCS 5/6-521
- 5) A Complete Description of the Subjects and Issues Involved: Amendments necessary to update the Illinois Offense Table to be in compliance with the Federal Motor Carrier Safety Regulations.
- 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
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Texts of the prepared amendments are posted on the Secretary of State's website, www.sos.il.us/departments/index/home as part of the *Illinois Register*. Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this Notice to:

Office of the Secretary of State
Driver Services Department
JoAnn Wilson, Legislative Liaison
C/o Director's Office
2701 South Dirksen Parkway
Springfield, IL 62723

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

(217) 785-1441

- 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: July 2006

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

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NOTICE OF PROPOSED AMENDMENTS

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

Section

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
1040.29	2 or More Traffic Offenses Committed Within <u>within</u> 24 Months by a Person Under the Age of 21 Years
1040.30	3 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 Person-with-Disabilities License Plate or Parking Decal or Device or Fraudulent Person-with-Disabilities License Plate or Parking Decal or Device
1040.35	<u>Administrative Revocation for</u> Commission of an Offense Requiring Mandatory Revocation Upon Conviction, and Suspension or Revocation <u>Based</u> 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	Repeated Convictions or Collisions
1040.41	Suspension of Licenses for Curfew Violations
1040.42	Fleeing and Eluding
1040.43	Illegal Transportation
1040.46	Fatal Accident and Personal Injury Suspensions or Revocations
1040.48	Vehicle Emission Suspensions
1040.50	Suspension of License of Commercial Vehicle Driver
1040.52	Driver Remedial Education Course
1040.55	Suspension <u>or Revocation</u> 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

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- 1040.80 Cancellation of Driver's License Upon Issuance of a Handicapped 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 5 or More Tollway Violations and/or Evasions
- 1040.107 Suspension for Violation of 625 ILCS 5/11-907, Approaching a Stationary Emergency Vehicle
- 1040.108 Suspension for Failure to Make Report of Vehicle Accident Violations
- 1040.109 Two or More Convictions for Railroad Crossing Violations
- 1040.110 Bribery
- 1040.111 Suspension for Violation of 625 ILCS 5/11-908(a-1) for Failure to Yield upon Entering a Construction or Maintenance Zone when~~When~~ Workers Are Present

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law 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 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,

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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 30 Ill. Reg. _____, effective _____.

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, the following rules 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 herein.
- 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)

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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)
Type action 99: Conviction (points assigned)

- 2) Description of Offense: The code used to describe the offense is composed of the chapter and/or Section number of the Illinois Rules of the Road of the Illinois Vehicle Code [625 ILCS 5/11-100], the Municipal Code of the City of Chicago (Municipal Code of Chicago, ch. 27), the Criminal Code of 1961 [720 ILCS 5/1-1], the Cannabis Control Act [720 ILCS 550/1], the Illinois Controlled Substances Act [720 ILCS 570/100], the Liquor Control Act of 1934 [235 ILCS 5/6-16(a)], 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) above, will be a single digit code to identify the specific law which will be as follows:

- 0 – Criminal Code, Cannabis Control Act, Illinois Controller 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 which shall be a "2"
- 4 – Motor Vehicle Theft Law of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/4-100]
- 6 – The Illinois Driver Licensing Law
- 7 – Chicago Municipal Ordinance
- 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 herein](#).

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- 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](#)herein).
- 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 Section 6-206(a)(2) of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-206(a)(2)], as well as the number of points that should be assigned to those 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, Criminal Code, 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, Criminal Code, 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 pointes 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 *****
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4-102	102000	4 102 00	Motor Vehicle Anti-Theft Law, misdemeanor [625 ILCS 5/4-100]
4-103	103000	4 103 00	Motor Vehicle Anti-Theft Law, felony [625 ILCS 5/4-100]
4-103.1	103100	4 103 01	Motor Vehicle Anti-Theft Law, conspiracy [625 ILCS 5/4-100]
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 restriction (a serious traffic violation if committed in a commercial motor vehicle)
6-104(f)	104006	# 104 06	Violation of classification for

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			transportation of the elderly (a 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 – under the age of 17
6-110(a)	110000	6 110 00	Violation of curfew law – under age of 17 (<u>Child Curfew "An Act relating to a curfew for certain children"</u> [720/25 ILCS 555/1 and 555/2])
6-113(e)	113501	# 113 E1	Violation of driver's license restriction (a serious traffic violation if committed in a commercial motor vehicle)
6-113(e)	113502	# 113 E2	Violation of restriction on special restricted license or permit (a serious traffic violation if committed in a commercial motor vehicle)
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 law relating to the ownership or the operation of a motor vehicle

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6-205(b)1	205201	6 205 B1	Notice provided for in Section 1-8 of the Juvenile Court Act, [705 ILCS 405/ 1-81 through 405/9] that minor has been adjudicated under that Act as having committed an offense relating to motor vehicles described in Section 4-103 of the Illinois Driver Licensing Law of the Illinois Vehicle Code
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
6-210(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
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 police officer, upon his lawful demand, any license or permit which has been suspended, revoked or cancelled

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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
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
<u>6-301.1(b)10</u>	<u>301120</u>	<u># 301120</u>	<u>To knowingly use any fictitious or unlawfully altered driver's license or permit to purchase or attempt to</u>

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			<u>purchase any ticket for, or to board or attempt to board any common carrier</u>
<u>6-301.1(b)11</u>	<u>011211</u>	<u># 3011211</u>	<u>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</u>
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
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

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6-301.2(b)10	301220	# 301220	Advertise or distribute fraudulent driver's license or permit
<u>6-301.2(b)11</u>	<u>012211</u>	<u># 3012211</u>	<u>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</u>
<u>6-301.2(b)12</u>	<u>012212</u>	<u># 3012212</u>	<u>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</u>
<u>6-301.2(b-1)</u>	<u>301201</u>	<u># 3012b-1</u>	<u>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 (P.A. 94-930, eff. 6-26-06)</u>
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

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suspension

6-303(d)	303400	# 303 D0	Second conviction of driving during revocation for a violation of Sections 11-401 and 11-501 of the Illinois Rules of the Road and Section 9-3 of the Criminal Code 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 of the Illinois Rules of the Road and Section 9-3 of the Criminal Code 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 11-501 of the Illinois Rules of the Road and Section 9-3 of the Criminal Code or similar provisions of a local ordinance
<u>6-303(d)4</u>	<u>303404</u>	<u>6-303(D-4)</u>	<u>Tenth through fourteenth conviction of driving during revocation or suspension for a violation of Section 11-401 or 11-501 of the Illinois Rules of the Road or Section 9-3 of the Criminal Code or similar provisions of a local ordinance</u>
<u>6-303(d)5</u>	<u>303405</u>	<u>6-303(D-5)</u>	<u>Fifteenth or subsequent conviction of driving during revocation or suspension for a violation of Section 11-401 or 11-501 of the Illinois Rules of the Road or Section 9-3 of the Criminal Code or a similar provision of a local ordinance</u>

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<u>6-507(a)2</u>	<u>507102</u>	<u># 507 A2</u>	<u>Driving a commercial motor vehicle (CMV) without obtaining a commercial driver's license (CDL) (P.A. 94-307, eff. 10/1/05)</u>
<u>6-507(a)3</u>	<u>507103</u>	<u># 507 A3</u>	<u>Driving without the proper commercial driver's license classification or endorsements (P.A. 94-307, eff. 10/1/05)</u>
6-507(b)	507200	6 507 B0	No person may drive a commercial motor vehicle while driving privilege, license or permit is suspended, revoked, canceled, 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 suspended, revoked, canceled 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
8-101	008000	8000	Failure to show proof of financial responsibility – persons who operate motor vehicles in transportation of

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			passengers for hire
11-204	020400	# 0204 00	Fleeing or attempting to elude a peace police officer
11-204.1	020401	# 0204 01	Aggravated fleeing or eluding a peace police 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
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	050113	# 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)

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11-501(a)4	050114	# 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)
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)
<u>11-501(b)</u>	<u>501200</u>	<u># 11-0501 B</u>	<u>Initial conviction of violating Section 11-501 subsection (b)</u>
<u>11-501(b-3)</u>	<u>050123</u>	<u># 0501 B-3</u>	<u>Second conviction of violating Section 11-501(a) or a similar provision committed within 5 years after a previous violation of Section 11-501(a) or similar provision (P.A. 93-800, eff. 1-1-05)</u>
<u>11-501(b-4)</u>	<u>050124</u>	<u># 0501 B-4</u>	<u>Third or subsequent violation</u>

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			<u>committed within 5 years after a previous violation of Section 11-501(a) or a similar provision (P.A. 93-800, eff. 1-1-05)</u>
<u>11-501(c)</u>	<u>501300</u>	<u># 11-0501 C</u>	<u>A violation of Section 11-501 subsection (c)</u>
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, or suspended for statutory summary suspension under Section 11-501.1
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, 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, 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-

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			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 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
<u>11-501(c-5)1</u>	<u>501351</u>	<u># 0501 C5(1)</u>	<u>Violation of Section 11-501(a) while transporting a person under the age of 16 (P.A. 93-1093, eff. 3-29-05)</u>
<u>11-501(c-5)2</u>	<u>501352</u>	<u># 0501 C5(2)</u>	<u>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 (P.A. 93-1093, eff. 3-29-05)</u>
<u>11-501(c-5)3</u>	<u>501353</u>	<u># 0501 C5(3)</u>	<u>Second violation of Section 11-501(a) or a similar provision within 10 years and at the time of the</u>

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			<u>violation the person was transporting a person under the age of 16 (P.A. 93-1093, eff. 3-29-05)</u>
<u>11-501(c-5)4</u>	<u>501354</u>	<u># 0501 C5(4)</u>	<u>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 (P.A. 93-1093, eff. 3-29-05)</u>
<u>11-501(c-5)5</u>	<u>501355</u>	<u># 0501 C5(5)</u>	<u>Third conviction for violating Section 11-501(a) or a similar provision and at the time of the violation the person was transporting a person under the age of 16 (felony) (P.A. 93-1093, eff. 3-29-05)</u>
<u>11-501(c-5)6</u>	<u>501356</u>	<u># 0501 C5(6)</u>	<u>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) (P.A. 93-1093, eff. 3-29-05)</u>
<u>11-501(c-5)7</u>	<u>501357</u>	<u># 0501 C5(7)</u>	<u>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) (P.A. 93-1093, eff. 3-29-05)</u>
<u>11-501(c-6)1</u>	<u>501361</u>	<u># 0501 C6(1)</u>	<u>Conviction of Section 11-501(a) or a similar provision and the alcohol concentration was .16 or more (P.A.</u>

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			<u>93-1093, eff. 3-29-05)</u>
<u>11-501(c-6)2</u>	<u>501362</u>	<u># 0501 C6(2)</u>	<u>Second conviction of Section 11-501(a) or a similar provision within 10 years and at the time the BAC was .16 or more (P.A. 93-1093, eff. 3-29-05)</u>
<u>11-501(c-6)3</u>	<u>501363</u>	<u># 0501 C6(3)</u>	<u>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) (P.A. 93-1093, eff. 3-29-05)</u>
<u>11-501(c-6)4</u>	<u>501364</u>	<u># 0501 C6(4)</u>	<u>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 transporting a person under the age of 16 or while BAC was .16 or more (felony) (P.A. 93-1093, eff. 3-29-05)</u>
<u>11-501(d)</u>	<u>501400</u>	<u># 0501 D</u>	<u>A violation of Section 11-501(d)</u>
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 which resulted in great

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			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) of the Illinois Vehicle Code for a second time and was previously convicted of violating Section 9-3 of the Criminal Code 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) of the Illinois Vehicle Code for the third or subsequent time
11-501(d)1B	501412	# 0501D1B	Such person committed a violation of of Section 11-501(a) of the Illinois Vehicle Code 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) of the Illinois Vehicle Code, was involved in a motor vehicle accident which 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) of the Illinois Vehicle Code for a second time and was previously convicted of violating

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			Section 9-3 of the Criminal Code 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 <u>or Section 11-501(d)(1)(C) or (F)</u>
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
<u>11-501(d)1F</u>	<u>501416</u>	<u># 0501D1F</u>	<u>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</u>
<u>11-501(d)1G</u>	<u>501417</u>	<u># 0501D1G</u>	<u>Committed a violation of Section 11-501(a) and the driver did not possess a valid driver's license or permit (P.A. 94-329, eff. 1-1-06)</u>
<u>11-501(d)1H</u>	<u>501418</u>	<u># 0501D1H</u>	<u>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 (P.A. 94-329, eff. 1-1-06)</u>
<u>11-503(c)</u>	<u>050303</u>	<u># 050303</u>	<u>Aggravated reckless driving</u>
11-504	050400	# 0504 00	Drag racing
11-907(c)	090703	# 0907 03	Failure to yield the right-of-way or drive with due caution upon

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			approaching a stationary emergency vehicle
<u>11-908(a)1</u>	<u>090811</u>	<u>1 908A1</u>	<u>Failure to yield and proceed with due caution upon entering a construction zone when workers are present</u>
<u>11-1301 3a-1</u>	<u>301311</u>	<u># 13013A1</u>	<u>Unauthorized use of handicap placard or device (P.A. 94-619, eff. 1-1-06)</u>
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
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

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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
11-1301.6(b)1	301621	1 13016B1	To knowingly possess any fraudulent person-with-disabilities license plate or parking decal or device
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
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 device
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

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11-1301.6(b)5	301625	1 13016B5	To advertise or distribute a fraudulent person-with-disabilities license plate or parking decal or device
12-215(g)	221507	# 2215 07	Conviction of Section 12-215 of the Illinois Vehicle Equipment Law of the Illinois Vehicle Code [625 ILCS 5/12-215] without lawful authority to stop
CRIMINAL CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
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
18-3	0018003	18 3	Conviction of vehicular hijacking

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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

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 – Liquor Control Act of 1934
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6-20

006020

6-20

Violation of Section 6-20 of the
Liquor Control Act of 1934 (P.A.
92-804, eff. 1-1-03)

CANNABIS
CONTROL
ACT

EDPM
OFFENSE
CODE

ABSTRACT
DESCRIPTION
CODE

DESCRIPTION OF OFFENSE

704(a)

070401

704 01

Conviction for violation of Section 4(a) of the Cannabis Control Act 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) of the Cannabis Control Act 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) of the Cannabis Control Act concerning the possession of 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) of the Cannabis Control Act 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) of the Cannabis Control Act concerning the possession of more

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			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 *****
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 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

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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	140201	1402 01	Conviction for violation of Section 402(a) of the Controlled Substances Act concerning the possession of 15 grams or more of any substance containing heroin
1402(a)2	014202	1402 02	Conviction for violation of Section 402(a) of the Controlled Substances Act 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) of the Controlled Substances Act 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) of the Controlled Substances Act concerning the possession of

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			200 grams or more of any substance containing peyote
1402(a)5	014205	1402 05	Conviction for violation of Section 402(a) of the Controlled Substances Act 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) of the Controlled Substances Act 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) of the Controlled Substances Act 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) of the Controlled Substances Act concerning the possession of 30 grams or more of any substance containing pentazocine or any of the salts, isomers and salts of isomers of pentazocine
1402(a)9	014209	1402 09	Conviction for violation of Section 402(a) of the Controlled Substances Act concerning the possession of 30 grams or more of any substance containing methaqualone or any of

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			the salts, isomers and salts of isomers of methaqualone
1402(a)10	014210	1402 10	Conviction for violation of Section 402(a) of the Controlled Substances Act 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) of the Controlled Substances Act 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 which is not otherwise included in this subsection
1402(b)	014220	1402 20	Conviction for violation of Section 402(b) of the Controlled Substances Act 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
<u>16J-15</u>	<u>161015</u>	<u>16J-15</u>	<u>Conviction for violation of theft of motor fuel (P.A. 94-700, eff. 6-1-06)</u>
2103	021003	21 03	Violation of the Drug Paraphernalia Control Act [720 ILCS 600] concerning the sale of instruments

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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 canceled 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 canceled
<u>335-14a6</u>	<u>014106</u>	<u>14A6</u>	<u>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 (P.A. 93-667,</u>

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<u>335-14a7</u>	<u>014107</u>	<u>14A7</u>	<u>eff. 3-19-04)</u> <u>To knowingly possess, use or allow to be used a stolen identification card making implement (P.A. 94-239, eff. 1-1-06)</u>
<u>335-14(A-1)</u>	<u>014011</u>	<u>14-A-1</u>	<u>Possess or use materials to obtain information from an identification card (P.A. 94-239, eff. 1-1-06)</u>
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

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			any other jurisdiction for which a sentence to a term of imprisonment in a 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

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			identification card
335-14bb1	014221	14BB1	To knowingly possess, display or cause to be displayed any fraudulent identification card
335-14bb1	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

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335-14bb6	014226	14BB6	To knowingly possess any fraudulent identification card with the intent to use the identification card to acquire any other identification document
<u>335-14bb7</u>	<u>014227</u>	<u>14BB7</u>	<u>To knowingly possess without authority any identification card making implement (P.A. 93-895, eff. 1-1-05)</u>
335-14bb7	014227	14BB7	To knowingly possess without authority any implement to duplicate or manufacture any license or identification card
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
335-14ca1	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

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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
*****	*****	*****	*****	*****
<u>6-107(e)</u>	<u>107005</u>	<u>6 107 05</u>	<u>Violation of GDL Restrictions on passenger limitations of drivers under the age of 18 (Implemented for GDL – P.A. 90-369, eff. 1-1-98)</u>	<u>10</u>
<u>6-107(f)</u>	<u>107006</u>	<u>6 107 06</u>	<u>Violation of GDL restrictions. Every person under the age of 18 when transporting a child under the age of 19, as provided in 625 ILCS 25/5 (Child Passenger Act), shall be responsible for securing that child in either a child restraint system or properly fastened seat belt</u>	<u>10</u>
<u>6-107(g)</u>	<u>107007</u>	<u>6 107 07</u>	<u>Violation of GDL restrictions for the first six months after issuance of the driver's license on passenger limitations of driver's under the age of 18 (P.A. 93-101, eff. 1-1-04)</u>	<u>10</u>
6-501	501000	6 501 00	Violation of more than one driver's license (a serious traffic violation if committed in a commercial motor vehicle)	50

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6-507(A)(1)	5071010	6 507 A10	Driving a commercial motor vehicle without a <u>commercial valid</u> driver's license <u>(CDL) in possession (P.A. 94-307, eff. 9/30/05)</u> (a serious traffic violation if committed in a commercial motor vehicle)	50
11-203	020300	# 0203 00	Failure to obey lawful order of authorized officer	10
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 (a serious traffic violation if committed in a commercial motor vehicle)	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

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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
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
11-601(a)	060100	# 0601 00	Speeding too fast for conditions <u>or failure to reduce speed to avoid an accident</u> (a serious traffic violation if committed in a commercial motor vehicle)	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)	50
11-601(b)	060109	# 0601 09	Over 29 MPH above limit (a	50

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			serious violation if committed in a commercial motor vehicle)	
11-601.5	060109	# 0601 09	Driving 40 MPH or more in excess of the applicable speed limit	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>11-605.1</u>	<u>060510</u>	<u># 0605 1</u>	<u>Exceeding the maximum speed limit in a construction zone (P.A. 93-955, eff. 8-19-04)</u>	<u>20</u>
<u>11-605.3b</u>	<u>060532</u>	<u># 0605 3b</u>	<u>Exceeding the maximum speed limit on a park zone street (P.A. 94-808, eff. 5-26-06)</u>	<u>20</u>
<u>11-605.3c</u>	<u>060533</u>	<u># 0605 3c</u>	<u>Failure to obey stop sign or red light on a park zone street (P.A. 94-808, eff. 5-26-06)</u>	<u>20</u>
11-606(a)	060601	# 0606 01	Driving below minimum speed limit	5
11-606(b)	060602	# 0606 02	Driving below minimum speed	20

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			limit on Illinois Tollway	
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 (a serious traffic violation if committed in a commercial motor vehicle)	20
11-702	070200	# 0702 00	Improper passing upon meeting an approaching vehicle (a serious traffic violation if committed in a commercial motor vehicle)	20
11-703(a)	070301	# 0703 01	Improper passing on left (a serious traffic violation if committed in a commercial motor vehicle)	20
11-703(b)	070302	# 0703 02	Failure to yield right-of-way to vehicle passing on the left (a serious traffic violation if committed in a commercial motor vehicle)	20
11-703(c)	070303	# 0703 03	Improper passing with a two wheeled vehicle	20
11-704	070400	# 0704 00	Improper passing on the right (a serious traffic violation if committed in a commercial motor vehicle)	20
11-705	070500	# 0705 00	Improper passing on the left (a serious traffic violation if committed in a commercial motor vehicle)	20

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11-706	070600	# 0706 00	Driving on left side of roadway where prohibited (a serious traffic violation if committed in a commercial motor vehicle)	20
11-707(b)	070702	# 0707 02	Driving on left side of roadway in a no passing zone (a serious traffic violation if committed in a commercial motor vehicle)	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 (a serious traffic violation if committed in a commercial motor vehicle)	10
11-708	070800	# 0708 00	Driving wrong way on one-way street or highway or around traffic island (a serious traffic violation if committed in a commercial motor vehicle)	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
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	20

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			serious traffic violation if committed in a commercial motor vehicle)	
11-709.1	070911	# 0709 11	Passing on shoulder while merging into traffic (a serious traffic violation if committed in a commercial motor vehicle)	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
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

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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
11-908(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 flashing lights engaged in work upon a highway	15
11-908(c)	090803	# 0908 03	Failure to stop at highway construction sign	15
11-1002(a)	100201	# 1002 01	Failure to yield right-of-way to pedestrians at crosswalks without traffic control devices	20

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11-1002(d)	100204	# 1002 04	Passing vehicle stopped for pedestrian (a serious traffic violation if committed in a commercial motor vehicle)	20
11-1002(e)	100205	# 1002 05	Failure to yield right-of-way to pedestrian at an intersection	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
11-1104	110400	# 1104 00	Driving through safety zone	20
11-1201	120100	# 1201 00	Failure to stop for approaching railroad train or signal	20
<u>11-1201(a)</u>	<u>120110</u>	<u># 1201 A</u>	<u>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)</u>	<u>20</u>

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<u>11-1201(a-2)</u>	<u>120112</u>	<u># 1201 A2</u>	<u>Failing to obey a traffic control device or the directions of an enforcement official at the railroad crossing</u>	<u>20</u>
<u>11-1201(a-5)</u>	<u>120115</u>	<u># 1201 A5</u>	<u>For drivers who are not always required to stop, failing to slow down and check that the tracks are clear of approaching train (serious traffic violation if committed in a commercial motor vehicle)</u>	<u>20</u>
<u>11-1201(d-1)</u>	<u>120141</u>	<u># 1201 D1</u>	<u>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)</u>	<u>20</u>
11-1202	120200	# 1202 00	Failure to stop at railroad grade crossing	20
<u>11-1202</u>	<u>120020</u>	<u># 1202</u>	<u>Failure to stop before driving onto crossing</u>	<u>20</u>
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

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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 (a serious traffic violation if committed in a commercial motor vehicle)	20
11-1414(a)	141401	# 1414 01	Passing school bus receiving or discharging children (a serious traffic violation if committed in a commercial motor vehicle)	25
11-1418	141800	# 1418 00	Illegal operation of farm tractor upon highway	10
<u>11-1425(b)</u>	<u>142520</u>	<u># 1425 B</u>	<u>For all drivers, failing to have sufficient space to drive completely through the railroad crossing without stopping (serous traffic violation if committed in a commercial motor vehicle)</u>	<u>20</u>

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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
12-610.1b	261012	# 2610 1B	Driver under age 18 using a wireless phone (P.A. 94-240, eff. 7-15-05)	10
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
15-109	510900	# 5109 00	Spilling or unsafe load	15
15-110	511000	# 5110 00	Improper towing of a vehicle	10

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15-114 511400 # 5114 00 Improper pushing of another vehicle 10

d) City of Chicago Traffic Regulations – Chapter 27 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 *****
7-201	201000	7 201 00	Disregarding official traffic control device	20
7-202	202000	7 202 00	Disregarding traffic control light	20
7-203	203000	7 203 00	Disregarding flashing traffic signal	20
7-204	204000	7 204 00	Disregarding lane control light	20
7-205	205000	7 205 00	Avoiding official traffic control device	20
7-210	210000	7 210 00	Driving motor-driven cycle on access roadway	10
7-211	211000	7 211 00	Improper traffic lane usage	20
7-212	212000	7 212 00	Speeding too fast for conditions	10
7-212.01	212001	7 212 01	1-10 MPH above limit	5

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7-212.03	212003	7 212 03	11-14 MPH above limit	15
7-212.05	212005	7 212 05	15-25 MPH above limit (a serious traffic violation if committed in a commercial motor vehicle)	20
7-212.07	212007	7 212 07	Over 25 MPH above limit (a serious traffic violation if committed in a commercial motor vehicle)	50
7-213	213000	7 213 00	Driving below minimum speed limit	5
7-214	214000	7 214 00	Improper turn at intersection	10
7-215	215000	7 215 00	Improper or illegal turn on red signal light	20
7-216	216000	7 216 00	Improper U-turn	10
7-217	217000	7 217 00	Improper U-turn in Loop district	10
7-218	218000	7 218 00	Disobeying no-turn sign	10
7-219	219000	7 219 00	Driving wrong way on one-way street	5
7-220	220000	7 220 00	Driving wrong way on one-way street – restrictive period	5
7-221	221000	7 221 00	Disregarding stop sign at intersection	20
7-222	222000	7 222 00	Failure to yield right-of-way at stop intersection	20

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7-223	223000	7 223 00	Failure to yield right-of-way upon emerging from alley or driveway	20
7-224	224000	7 224 00	Entering intersection when traffic is obstructed	20
7-225	225000	7 225 00	Failure to observe yield right-of-way	20
7-226	226000	7 226 00	Failure to stop for approaching railroad train or signal	20
7-227	227000	7 227 00	Failure to observe bridge signal	20
7-228	228000	7 228 00	Failure to yield right-of-way to emergency vehicles	15
7-229	229000	7 229 00	Failure to yield right-of-way to pedestrian at intersection	20
7-230	230000	7 230 00	Failure to yield right-of-way at intersection	15
7-231	231000	7 231 00	Failure to yield right-of-way to pedestrian	20
7-232	232000	7 232 00	Failure to yield right-of-way to equestrian	20
7-233	233000	7 233 00	Failure to yield right-of-way to blind person	20
7-236(a)	236001	7 236 01	Improper passing on the left	20
7-236(b)	236002	7 236 02	Failure to yield right-of-way to vehicle passing on the left	20

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7-237	237000	7 237 00	Improper passing on the right	20
7-238	238000	7 238 00	Improper passing on the left	20
7-239	239000	7 239 00	Failure to drive on right side of roadway	5
7-240	240000	7 240 00	Passing stopped school bus receiving or discharging children	25
7-241	241000	7 241 00	Passing vehicle stopped for pedestrian	20
7-244	244000	7 244 00	Failure to obey lawful order or authorized officer	10
7-247	247000	7 247 00	Driving in area designated as play street	20
7-248	248000	7 248 00	Driving on sidewalk or parkway	20
7-249	249000	7 249 00	Driving through safety zone	20
7-250	250000	7 250 00	Driving in bus lane	20
7-251	251000	7 251 00	Driving on left side of roadway where prohibited	20
7-252	252000	7 252 00	Improper backing	10
7-253	253000	7 253 00	Improper entry or exit from controlled access roadway	10
7-255	255000	7 255 00	Negligent driving	10
7-256	256000	7 256 00	Following too closely	25

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7-257	257000	7 257 00	Failure to exercise due care for pedestrian	10
7-260	260000	7 260 00	Unsafe movement of vehicle from parked position	15
7-261	261000	7 261 00	Failure to give stop or turn signal	15
7-262	262000	7 262 00	Improper stop or turn signal	15
7-266	266000	7 266 00	Improper towing or pushing of vehicle	10
7-270	270000	7 270 00	Failure to drive within bus lane – bus drivers	20
7-271	271000	7 271 00	Failure to observe mass transportation vehicle regulations	20
7-278	278000	7 278 00	Illegal operation of motorcycle or motor driven cycle	10
7-342	342000	7 342 00	Defective brakes	20
7-346	346000	7 346 00	Head, tail, or side light violation	10
7-359	359000	7 359 00	Towing vehicles without bar or other safety device	10
7-369	369000	7 369 00	Failure to notify owner after collision with unattended vehicle	25
7-402(c)	402003	7 402 03	Restricted turn signs – prohibited right or left turn	10

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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 *****
6-107(e)	107005	6107e	Exceeding passenger limitations for drivers under the age of 18
6-107(f)	107006	6107f	Unrestrained child under the age of 18
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
11-1412	141200	# 1412 00	Crossing fire hose
11-1420	142000	# 1420 00	Funeral procession violation
12-201(c)	220103	# 2201 03	Registration light violation
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

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12-603.1	260301	# 2603 01	Violation of the seat belt act
<u>12-604.1</u>	<u>260401</u>	<u># 260401</u>	<u>Driving while using prohibited video devices (P.A. 94-185, eff. 1-01-06)</u>
<u>12-613(a)</u>	<u>261301</u>	<u># 2613 A</u>	<u>Violation of possession and use of radar or laser jamming devices (P.A. 94-594, eff. 1-01-06)</u>
12-712(a)	271201	# 2712 01	Violation of possession and use of a radar detecting device in a commercial motor vehicle
12-713(a)	271301	# 2713 01	Violation of possession and use of a radar jamming device in a commercial motor vehicle
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
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 6 but under age 18 [625

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f) City of Chicago Traffic Regulations – Chapter 27 of The Municipal Code of Chicago

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:

CHICAGO TRAFFIC CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
7-235	235000	7 235 00	Driving through a funeral Funeral procession
7-246	246000	7 246 00	Crossing fire hose
7-274	274000	7 274 00	Driving in a funeral Funeral procession
7-342.1	342001	7 342 01	Violation of seat belt act
7-347	347000	7 347 00	Spot light violation
7-348	348000	7 348 00	Other light violation
7-349	349000	7 349 00	Front red or flashing light

g) 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 92 Ill. Adm. Code 1040.
- 2) Driver control action shall be entered upon the driver's record by classification (type action).
 - A) Classification for driver control actions:

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- 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
- Type action 18 Vehicle Emissions Suspension
- 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 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 which provides the Secretary of State with the authority to take such action.

h) 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

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			involving death of personal injury – violation of Section 11-401 of the The Illinois Vehicle Code
6-205(a)5	205105	6 205 A5	Perjury under oath relating to ownership or operation of a motor vehicle
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 of the Illinois Rules of the Road of the Illinois Vehicle Code
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 Illinois Criminal Code of 1961
6-205(a)11	205111	6 205 A11	Conviction of aggravated fleeing or eluding a peace police officer
6-205(a)12	205112	6 205 A12	Violation of Sec. 6-507(b) or a similar law of another state relating to the unlawful operation of a commercial motor vehicle
6-205(a)(13)	6205113	6 205 A13	A second or subsequent violation of Section 11-502(a) of the Illinois Vehicle Code 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(b)1	205201	6 205 B1	Notice provided for in Section 1-8 of the Juvenile Court Act, that minor has been adjudicated under that Act as having

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			committed an offense relating to motor vehicles prescribed in Section 4-103 of the Illinois Vehicle Code
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(c)	205300	6 205 C0	Revocation of a restricted driving permit
6-205(d)	205400	6 205 D0	Conviction of a person under the age of 21 for driving under the influence of alcohol, other drug or a combination thereof

i) 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
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

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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
6-206(a)13	206113	6 206 A13	Violation of Curfew Act
6-206(a)14	206114	6 206 A14	Unlawful use of license or permit under Section 6-301 of the Illinois Vehicle Code 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 1961 [725 ILCS 5/100-1]
6-206(a)16	206116	6 206 A16	Violation of Section 11-204, fleeing from a <u>peacepolice</u> 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

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			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 1961
6-206(a)23	206123	6 206 A23	Has been convicted of violating Paragraph (a) of 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 which is the same or similar to an offense specified under Section 6-205 or 6-206
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,

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			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
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(s) 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 1961
6-206(a)33	206133	6 206 A33	A violation of Section 11-502(a) of the Illinois Vehicle Code 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)

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(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 of the Illinois Vehicle Code (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 of the Illinois Vehicle Code (prior to 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 of the Illinois Vehicle Code (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 of the Illinois Vehicle Code (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 defined in Section 11-1301.6 of the Illinois Vehicle Code (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 subsection (e) of Section 11-907(c) that resulted in property damage, personal injury, or death

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<u>6-206(a)38</u>	<u>206138</u>	<u>6 206 A38</u>	<u>Has been convicted of a violation of Section 6-20 of the Liquor Control Act of 1934 (P.A. 92-874, eff. 1-1-03)</u>
<u>6-206(a)39</u>	<u>206139</u>	<u>6 206 A39</u>	<u>Has committed a second or subsequent violation of Section 11-1201 of the Illinois Vehicle Code (P.A. 92-814, eff. 1-1-03)</u>
<u>6-206(a)40</u>	<u>206140</u>	<u>6 206 A40</u>	<u>Failure to yield and proceed with due caution upon entering a construction zone when workers are present (P.A. 93-667, eff. 3-19-04)</u>
<u>6-206(a)41</u>	<u>206141</u>	<u>6 206 A41</u>	<u>Committed a second or subsequent violation of Section 11-605.1 within 2 years after the previous violation (P.A. 93-955, eff. 8-19-04)</u>
<u>6-206(a)42</u>	<u>206142</u>	<u>6 206 A42</u>	<u>Has committed a violation of Section 11-1301.3(a-1) (P.A. 94-930, eff. 6-26-06)</u>
6-206(c)3	206303	6 206 C3	Conviction of an offense while holding a Restricted Driving Permit

<u>ILLINOIS IDENTIFICATION-CARD ACT</u> *****	<u>EDPM OFFENSE CODE</u> *****	<u>ABSTRACT DESCRIPTION CODE</u> *****	<u>DESCRIPTION OF OFFENSE</u> *****
<u>124-33(B)5</u>	<u>243305</u>	<u>124-33B5</u>	<u>Signature of applicant or signature on ID card is a forgery</u>
<u>124-33(B)6</u>	<u>243306</u>	<u>124-33B6</u>	<u>ID card used for unlawful or fraudulent purpose</u>
<u>124-33(B)8</u>	<u>243308</u>	<u>124-33B8</u>	<u>ID card duplicated for any purpose</u>
<u>124-33(B)9</u>	<u>243309</u>	<u>124-33B9</u>	<u>ID card utilized to counterfeit such cards</u>

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j) Discretionary or Mandatory – Suspension – Type Action 03, 07, 09, 17, or 18, 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
<u>6-205.2</u>	<u>205002</u>	<u>6 205 02</u>	<u>Theft of motor fuel (P.A. 94-700, eff. 6-1-06)</u>
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 <u>or automated traffic law violations</u>
6-306.7	306007	6 306 07	Failure to pay fines – Illinois State Toll Highway Authority
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
11-1414(f)	141460	1 1414 F0	Failure to stop for school bus when loading or discharging passengers
13A 112(b)	311122	13A 112 B	Vehicle Emissions Suspensionsuspension
<u>13B 55(b)</u>	<u>132552</u>	<u>13B 55B</u>	<u>Vehicle Emissions Suspension (P.A. 88-533, eff. 1-1-95)</u>

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k) 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

l) 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 <u>designated period of time</u> 3-year period

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 <u>or three convictions</u> for a mandatory insurance violation

m) Unsatisfied Judgment Suspension – Type Action 06

IVC VIOLATION CODE *****	EDPM OFFENSE CODE *****	ABSTRACT DESCRIPTION CODE *****	DESCRIPTION OF OFFENSE *****
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NOTICE OF PROPOSED AMENDMENTS

7-303

Failure to satisfy court judgment relating to property damage or personal injury resulting from the operation of any motor vehicle

n) 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
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
6-113(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

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NOTICE OF PROPOSED AMENDMENTS

			physical control of a motor vehicle
6-201(a)8	201108	6 201 A8	Failed to notify Secretary of State of a medical condition which 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
6-205(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
ILLINOIS IDENTIFICA -TION 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

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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 (effective 07/01/85)
<u>335 13(b)11</u>	<u>013211</u>	<u>335-13 B11</u>	<u>The holder failed to appear at a Driver Services Facility for the re-issuance of an identification card (P.A. 93-895, eff. 1-1-05)</u>

o) 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 of the Illinois Vehicle Code
6-106.1(a)	106011		Zero tolerance cancellation of school bus driver permit

p) Denial – Type Action DN

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

q) Discretionary/Mandatory Disqualification –Type Action DQ

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/alcohol concentration .04 or more or 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
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 Sec. 6-514(a)
6-514(c)	514300	6 514 C	Conviction of felony drug offense(s) using

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			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 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

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NOTICE OF PROPOSED AMENDMENTS

order and while transporting passengers or hazardous materials

<u>6-514(j)2i</u>	<u>514021</u>	<u>6 514 J2i</u>	<u>Convicted for a first violation of railroad-highway grade crossing</u>
<u>6-514(j)2ii</u>	<u>514022</u>	<u>6 514 J2ii</u>	<u>Convicted for a second violation of railroad-highway grade crossing within a three-year period</u>
<u>6-514(k)</u>	<u>514110</u>	<u>6 514 K</u>	<u>Notification of a disqualification of a driver's CMV privileges imposed by US DOT, 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</u>
<u>6-514(j)2iii</u>	<u>514023</u>	<u>6 514 J2iii</u>	<u>Convicted of a third or subsequent violation of railroad-highway grade crossing within a three-year period</u>
<u>6-514(a)3iv</u>	<u>514034</u>	<u>6 514 A3iv</u>	<u>Driving a CMV when, as a result of prior violations committed while operating a CMV, the driver's CDL is revoked, suspended, or cancelled, or the driver is MCSIA required</u>
<u>6-514(a)3v</u>	<u>514035</u>	<u>6 514 3v</u>	<u>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 MCSIA required</u>

r) Family Financial Responsibility Suspension – Type Action FR

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

7-703 Individual who is 90 days or more delinquent in court ordered child support payment

s) 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 of the Illinois Vehicle Code

t) 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

u) 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 and DHR means Driver History Record.

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
A12	Refused to submit to test for alcohol-Implied Consent Law
A24	Driving under the influence of medication not intended to intoxicate

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NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

A30	Possession
A33	Illegal possession of drugs (controlled substances)
A40	Aiding in violation of ignition interlock or immobilization device
A41	Driver violation of ignition interlock or immobilization device
A60	Underage conviction of drinking and driving at 0-.02 <u>or higher</u> BAC
A61	Underage Administrative Per Se – drinking and driving at 0-.02 <u>or higher</u> BAC
B09	Refusal to reveal identity after accident
B10	Refusal to reveal identity after accident—fatal accident
B11	Refusal to reveal identify after accident—personal injury accident
B12	Refusal to reveal identify after accident—property damage accident
B20	Driving while license withdrawn
B21	Driving while license barred
B22	Driving while license canceled
B23	Driving while license denied
B24	Driving while license disqualified
B27	Driving while license out of service order is in effect
B28	Driving while registration canceled
B29	Driving while registration suspended

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
B30	Permit unlicensed person to drive
B40	Possess or provide counterfeit or altered document
B42	Possess or provide counterfeit or altered registration or title
B43	Missing, defaced, or obscured license plates
B44	Mutilated document
B45	Mutilated driver's license (includes DL, CDL, and Instruction Permit) or ID
B46	Mutilated registration card or title
B50	Expired or no document (or item) which is required
B52	Expired or no emissions inspection
B53	Expired or no license plates or decal/sticker
B54	Expired or no registration or title
B55	Expired or no vehicle safety inspection
B60	Failed to file document or report as required
B62	Failed to file change of address or name
B63	Failed to file future proof of financial responsibility
B64	Failed to file insurance certification
B65	Failed to file medical/certification disability information
B70	Failed to show document as required
B71	Failed to show certificate of weight

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
B72	Failed to show driver's license (includes DL, CDL, and Instruction Permit)
B73	Failed to show emissions or vehicle (safety) inspection
B74	Failed to show insurance certification
B75	Failed to show operator's (driver's) log
B76	Failed to show registration
B77	Failed to show registration, title or driver's license (includes DL, CDL, and Instruction Permit)
B80	Failed to surrender driver's license (includes DL, CDL, and Instruction Permit)
B81	Failed to surrender driver's license, registration, plates or title
B82	Failed to surrender registration, plates or title
B83	False report
B84	False report of accident
B85	False report of emissions inspection
B86	False report of odometer reading or disclosure
B87	False report of operator's (driver's) log
B88	False report of theft
B89	False report of vehicle (safety) inspection
B90	Failed to provide or submit title transfer documents

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
B93	Loan registration or plated to another person
D01	Misrepresentation of identity or other facts
D02	Misrepresentation of identity or other facts on application for driver's license (includes DL, CDL, and Instruction Permit)
D03	Misrepresentation of identify or other facts on application for person with disabilities permit/plates
D04	Misrepresentation of identity or other facts on application for registration or title
D05	Misrepresentation of identity or other facts to avoid arrest or prosecution
D11	Manufacture or produce false emissions or vehicle (safety) inspection certificate
D12	Manufacture or produce false registration or title
D15	Present or use improperly document (or item) not specified
D16	Present or use improperly driver's license (includes DL, CDL, and Instruction Permit)
D17	Present or use improperly emissions or vehicle (safety) inspection
D18	Present or use improperly insurance certification
D19	Present or use improperly operator's (driver's) log
D20	Present or use improperly registration, plates, or decal/sticker
D21	Present or use improperly registration or title
D26	Use another's registration, plates, or title

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NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

~~D28 Violate limits of registration (manufacturer, transporter, dealer, farm, antiques, etc.)~~

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

~~D40 Failure to appear~~

~~D41 Failure to appear for hearing and/or mandatory appearance~~

~~D42 Failure to appear for or complete department investigation~~

~~D43 Failure to appear for or complete examination or re-examination~~

~~D44 Failure to appear for or complete required courses~~

~~D45 Failure to appear for trial or court appearance~~

~~D50 Failure to make required payment~~

D51 Failure to make required payment of child support

~~D52 Failure to make required payment of fee~~

~~D53 Failure to make required payment of fine and costs~~

~~D54 Failure to make required payment of tax~~

~~D55 Failure to make required payment of toll~~

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
D65	Depositing harmful (including injurious and for burning) substance on traffic way
D66	Failure to remove harmful substance from traffic way
D67	Littering from a motor vehicle
D68	Throwing from vehicle any harmful substance
D71	Exceeding hours on duty limitations
D72	Inability to control vehicle
D73	Obscuring, tampering with, or illegally displaying traffic control device, warning, or instructions
D74	Operating a motor vehicle improperly due to drowsiness
D75	Operating a motor vehicle improperly due to physical or mental disability
D77	Sex offense in a motor vehicle
E03	Operating without HAZMAT safety equipment as required by law
E04	Operating without HAZMAT placards/markings as required by law
E20	Use of equipment prohibited by law
E22	Use of emergency vehicle markings prohibited by law
E30	Defective equipment
E32	Defective emissions control device
E33	Defective HAZMAT safety devices
E35	Defective or noisy exhaust system or muffler

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
E37	Defective tires
E50	Failure to use equipment as required
E52	Failure to use disabled vehicle lights, reflectors, or flares as required
E53	Failure to use HAZMAT safety devices as required
E57	Failure to use snow tires or chains as required
E70	Equipment used improperly or obstructed
E72	Emissions control device used improperly or obstructed
E73	Equipment used improperly—making excessive noise
E74	Exhaust system used improperly or obstructed
E80	Failure to correct defects after inspection failure or notice
F01	Safety equipment not used properly as required
F05	Carrying unsecured passengers in open area of vehicle
F06	Improper operation of or riding on a motorcycle
F10	Exceeding or violating size, weight, or passenger/cargo limits
F11	Exceeding or violating passenger or cargo limits of vehicle/truck
F12	Exceeding or violating size limits of vehicle/truck
F13	Exceeding or violating weight limits of vehicle/truck
F15	Exceeding or violating size limits of road/bridge/tunnel

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NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

- | ~~F16 Exceeding or violating weight limits of road/bridge/tunnel~~
- | ~~F20 Failure to weigh vehicle or stop at weigh station~~
- | ~~F21 No or improper trip permit~~
- | ~~F22 No warning for projecting load~~
- | ~~F24 Violation of excess size/weight permit~~
- | ~~F30 Failure to place red flags or flares~~
- | ~~F31 Failure to set brakes~~
- | ~~F32 Non-emergency stop~~
- | ~~F33 Parking in a handicap zone~~
- | F34 Stopping, standing or parking: obstructing or impeding traffic
- | ~~F35 Stopping, standing or parking where prohibited or improper~~
- | ~~F40 Improper vehicle used on roadway~~
- | ~~F41 Operate or permit vehicle where prohibited or not authorized~~
- | ~~F60 Abandoned vehicle~~
- | ~~F61 Alteration of emissions control device~~
- | ~~F62 Failed to get VIN~~
- | ~~F63 Leaving vehicle unattended with engine running~~
- | ~~F64 Opening vehicle door into moving traffic or while vehicle is in motion~~

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
F66	Unsafe condition of vehicle (no specified component)
M01	Failure to obey
M02	Failure to obey barrier
M03	Failure to obey construction or maintenance zone markers
M04	Failure to obey flagger
M06	Failure to obey motor carrier rules/regulations
M07	Failure to obey pedestrian control/device
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
<u>M55</u>	<u>Improper lane or location – on rail or streetcar tracks</u>
<u>M81</u>	<u>Careless driving</u>
<u>M82</u>	<u>Inattentive driving</u>
<u>M83</u>	<u>Negligent driving</u>
<u>N02</u>	<u>Failure to yield right of way to animal rider or animal-drawn vehicle</u>
<u>N41</u>	<u>Failure to cancel directional signals</u>

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****

- N44 Giving wrong signal
- N84 Unsafe operation
- S97 Operating at erratic or suddenly changing speeds
- U02 Resisting arrest
- 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

DHR CONVICTION CODE	DESCRIPTION OF OFFENSE
*****	*****

- DE-0 Defective equipment
- DS-0 Disability
- DS-1 ~~Inability to pass one or more tests required for driver's license~~
- EM-0 Equipment misuse
- EM-1 ~~Leaving a vehicle unattended with engine running~~
- ER-0 Equipment regulations
- ER-2 ~~Use of equipment prohibited by law~~

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NOTICE OF PROPOSED AMENDMENTS

DHR
CONVICTION
CODE

DESCRIPTION OF OFFENSE

FA-2 Violation of a motor vehicle law resulting in one's own death

FA-3 Suicide by motor vehicle

FE-0 Felony

FR-0 Financial responsibility

FR-1 Unsatisfied judgment

FR-2 Failure to meet requirements of the security following accident provisions of the Financial Responsibility Law

FR-3 Failure to file future proof of financial responsibility following conviction for violation of motor vehicle laws

FR-4 Failure to file future proof of financial responsibility as required under any other provision of the Financial Liability Law

FR-5 Failure to maintain required compulsory liability insurance

LI-0 Littering

MR-0 Misrepresentation contribution violation

MR-5 Obtaining or applying for a duplicate driver's license during withdrawal

MR-6 Misrepresentation of identify or other facts to avoid arrest or prosecution

MS-0 Miscellaneous

MS-5 Sex offense in vehicle

RR-0 Required reports, appearances, or documents

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NOTICE OF PROPOSED AMENDMENTS

DHR
CONVICTION
CODE

DESCRIPTION OF OFFENSE

RR-1	Failure to file report of accident as required
RR-2	Failure to appear for hearing or trial
RR-3	Failure to surrender driver's license, registration, or title documents as required
RT-0	Registration and titling
RT-3	Misrepresentation of identity or other facts to obtain a vehicle registration or title
RT-4	Displaying a registration or title which is invalid because of alteration, counterfeiting or withdrawal (revocation, suspension, etc.)
RV-1	Recurrence of violations requiring mandatory action of the licensing authority as specified by law
RV-2	Accumulation of violations resulting in mandatory action of the licensing authority because of a statutory point system
RV-3	Accumulation of violations resulting in discretionary action by the license authority
SC-6	Obscuring, tampering with, or illegally displaying traffic control devices, warning, or instructions
VR-0	Violation of restriction licensing requirements
VR-6	Allowing an unlicensed operator to drive

v) The following violations will not be assigned points but will be entered on the driving record as type action -82- conviction immediate action:

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NOTICE OF PROPOSED AMENDMENTS

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 _____
(detailed field required)

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

A25 Driving while impaired—~~ability definitely impaired~~

A26 Drinking alcohol while operating a vehicle

A90 DUI at .10 Admin

A94 DUI at .04 Admin

A98 DUI at .08 Admin

B21 Driving while license barred

B22 Driving while license cancelled

B23 Driving while license denied

B27 Driving while license out-of-service order is in effect (for violations not covered by B19)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

~~B92 Loan driver's license (includes DL, CDL, and Instruction Permit) to another person~~

D06 Misrepresentation of identify or other facts to obtain alcohol

D07 Possess multiple driver's licenses (including DL, CDL, and Instruction Permit)

D10 Manufacture or duplicate false driver's license (includes DL, CDL, and Instruction Permit)

~~D25 Use another person's 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)

~~D76 Perjury~~

S95 Speed contest (racing) on road open to traffic

~~DHR
CONVICTION
CODE~~

~~DESCRIPTION OF OFFENSE~~

~~*****~~

~~*****~~

~~C-11 Driving a commercial motor vehicle while the person's alcohol concentration is 0.04 percent or more.~~

~~C-13 Refusal to undergo such testing as is required by any State or jurisdiction~~

~~DI-0 Driving while intoxicated violation pertaining to intoxication~~

~~DI-1 Driving while under the intoxicating influence of alcohol, narcotics, or pathogenic drugs~~

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NOTICE OF PROPOSED AMENDMENTS

DHR
CONVICTION
CODE

DESCRIPTION OF OFFENSE

~~DI-2 Driving while under the intoxicating influence of medication or other substances not intended to produce intoxication as a result of normal use~~

~~DI-3 Refusal to submit to a test for alcohol after arrest for driving while intoxicated or suspicion of intoxication~~

~~DI-6 Impaired~~

~~EM-7 Operating or using a vehicle without consent of the owner~~

~~FE-1 Using a motor vehicle as the device for committing a felony~~

~~FE-2 Using a motor vehicle in connection with a felony~~

~~HR-4 Evading arrest by fleeing the scene of citation or roadblock~~

~~HR-5 Evading arrest by extinguishing lights (when lights are required)~~

~~MR-1 Misrepresentation of identity or other facts to obtain a driver's license~~

~~MR-2 Displaying a driver's license which is invalid because of alteration, counterfeiting, or withdrawal (suspension, revocation etc.)~~

~~MR-3 Displaying the driver's license of another person~~

~~MR-4 Loaning a driver's license~~

~~SP-1 Contest racing on public traffic way~~

~~VR-1 Driving while revoked~~

~~VR-2 Driving while suspended~~

~~VR-4 Operating contrary to conditions specified on driver's license~~

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

DHR
CONVICTION
CODE

DESCRIPTION OF OFFENSE

~~VR 5 Operating without being licensed or without license required for type of vehicle operated~~

w) A TA 68 or TA 82 for the following offenses, additional information will be required from the reporting state to determine if the violation if committed in Illinois would result in a immediate action points assigned or, non-points assigned. The TA 68 or TA 82 will be converted to the applicable offenses of subsection b, c, or ~~1~~ 8 of this Section, respectively.

x) 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

~~A34 Illegal possession of weapon, including firearm~~

A50 Motor vehicle used in the commission of a felony involving manufacturing, distribution, or dispensing a controlled substance

~~A52 Transporting liquor to a minor~~

B06 Leaving scene of an accident before police arrive – fatal accident

B07 Leaving scene of an accident before police arrive – personal injury accident

B19 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

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NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

- 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 driver's license (includes DL, CDL, and Instruction Permit)
- B56 Driving a CMV without obtaining a CDL
- B91 Improper classification or endorsement on driver's license (includes DL, CDL, and Instruction Permit)
- D78 Perjury about the operation of a motor vehicle
- 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
- U09 Negligent homicide while operating a CMV
- U10 Causing a fatality through the negligent operation of a CMV
- U23 Receiving or disposing of stolen vehicle or its parts
- U26 Vehicle theft

DHR
CONVICTION
CODE

DESCRIPTION OF OFFENSE

- C-12 Driving under the influence of alcohol, as prescribed by State law, when committed in a commercial vehicle (disqualification if committed in a commercial motor vehicle)

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NOTICE OF PROPOSED AMENDMENTS

- ~~C-14~~ ~~Driving a commercial motor vehicle while under the influence of a controlled substance as defined in Section 102(6) of the Controlled Substances Act (21 USC 802(6)) (disqualification if committed in a commercial motor vehicle)~~
- ~~C-16~~ ~~A felony involving the use of a commercial motor vehicle, other than a felony described in C-17 (disqualification if committed in a commercial motor vehicle)~~
- ~~C-17~~ ~~The use of a commercial vehicle in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance as defined in Section 102(6) of the Controlled Substances Act (21 USC 802(6)) (disqualification if committed in a commercial motor vehicle)~~

y) 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
E21	Use of colored lights and/or siren prohibited by law
E23	Use of radar or laser detector prohibited by law
E24	Use of vehicle lights prohibited by law
E34	Defective lights
E54	Failure to use headlight dimmer as required
F02	Child or youth restraint not used properly as required

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
F04	Seat belt not used properly as required
M30	Following improperly
M56	Improper lane or location – on fire hose
M80	Reckless, careless, or negligent driving
N05	Failure to yield right of way to funeral procession, procession or parade

DHR CONVICTION CODE	DESCRIPTION OF OFFENSE
*****	*****
AC 0	Accident
AC 2	Violation of a motor vehicle law resulting in property damage
AC 3	Violation of a motor vehicle law resulting in property damage to persons or property but considered an accident
AC 4	Involvement in an accident considered no indication of fault
DE 1	Operating with defective headlights
DE 3	Operating with defective muffler or exhaust system
DE 4	Operating with defective tires
DE 5	Operating with defective equipment resulting in inability to control vehicle movement properly
DI 5	Administrative per se
DS 2	Operating a motor vehicle improperly because of physical or mental disability

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NOTICE OF PROPOSED AMENDMENTS

DHR CONVICTION CODE	DESCRIPTION OF OFFENSE
*****	*****
DS-3	Failure to discontinue operating a vehicle after onset of physical or mental disability (including uncontrollable drowsiness)
EM-2	Overloading vehicle with passengers or cargo
EM-4	Creating unlawful noise with vehicle or accessory
EM-5	Failure to dim lights as required
EM-6	Using a vehicle in connection with illegal activity other than a felony
ER-1	Operating without equipment required by law
FA-0	Fatality
FE-3	Using a motor vehicle to aid and abet a felon
FO-0	Following improperly
FO-3	Following an emergency vehicle unlawfully
HR-3	Leaving the scene of an accident after providing aid or identity but before arrival of police.
HV-0	Conviction of multiple serious offenses resulting in a long term removal of the license
IL-0	Improper lane operation where prohibited
IL-3	Ran off road
IL-4	Driving on road shoulder, in ditch, or on sidewalk
LI-1	Depositing injurious or harmful substance on traffic way
LI-2	Throwing from vehicle any burning or smoldering substance

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NOTICE OF PROPOSED AMENDMENTS

DHR
CONVICTION
CODE

DESCRIPTION OF OFFENSE

- LI-3 Littering from a motor vehicle
- MS-3 ~~Opening vehicle closure into moving traffic or while vehicle is in motion~~
- MS-4 ~~Crossing fire hose with vehicle~~
- MS-6 ~~Unsafe operation of vehicle~~
- RK-0 ~~Reckless, careless, or negligent driving~~
- RK-2 ~~Operating a motor vehicle without the exercise of care and caution required to avoid danger to persons or property~~
- RK-3 ~~Transporting hazardous substance without required safety devices or precautions~~
- RK-4 ~~Coasting or operating with gears disengaged~~
- RR-4 ~~Failure to keep driver's license or registration certificates in possession while driving or in vehicle as required~~
- RR-5 ~~Operating a motor vehicle with registration plates missing, defaced or obscured~~
- RT-1 ~~Operating a vehicle without registering it as required~~
- RT-2 ~~Operating with expired registration~~
- RV-0 ~~Repeated violations~~
- RW-0 ~~Right of way~~
- RW-5 ~~Failure to yield to school bus as required~~
- SC-3 ~~Passing through or around barrier positioned to prohibit or channel traffic~~

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NOTICE OF PROPOSED AMENDMENTS

DHR CONVICTION CODE	DESCRIPTION OF OFFENSE
*****	*****
SC 4	Failure to observe warnings or instructions on vehicle properly displaying them
SI 3	Failure to cancel directional signals after executing maneuver
SP 5	Operating at erratic or suddenly changing speeds
TU 0	Turns
TU 1	Making right turn from left turn lane
TU 2	Making left turn from right turn lane
VR 3	Driving after license denied
WW 0	Wrong way, side or direction

z) 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
A27	Driving after drinking—level of intoxication or impairment not known	15
A31	Illegal possession of alcohol	25
A32	Illegal possession of alcohol or drugs	25
A35	Possession of open alcohol container	25
A51	Transporting liquor illegally	25

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE *****	DESCRIPTION OF OFFENSE *****	POINTS *****
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
B05	Leaving scene of accident before police arrive	25
B08	Leaving scene of accident before police arrive – property damage accident	25
B13	Failure of duties upon damaging unattended vehicle or injuring animals	15
<u>B14</u>	<u>Failure to reveal identity after fatal or personal injury accident</u>	<u>50</u>
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	20
E36	Defective school bus equipment	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

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE *****	DESCRIPTION OF OFFENSE *****	POINTS *****
E71	Brakes used improperly	20
F03	Motorcycle safety equipment not used properly as required	5
F14	Exceeding or violating passenger or cargo limits of motorcycle	5
F23	Spilling, dragging, unsecured or unsafe load	15
F65	Towing or pushing vehicle improperly	10
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	20
M12	Failure to obey safety zone	20
M14	Failure to obey sign or traffic control device	20
<u>M15</u>	<u>Failure to obey stop sign</u>	<u>20</u>
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
<u>M20</u>	<u>Failure to slow down to check tracks are clear of approaching train</u>	<u>20</u>
<u>M21</u>	<u>Failure to stop at crossing if track not clear</u>	<u>20</u>

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE *****	DESCRIPTION OF OFFENSE *****	POINTS *****
<u>M22</u>	<u>Failure to stop before driving onto crossing</u>	<u>20</u>
<u>M23</u>	<u>Fail to have space to drive through crossing</u>	<u>20</u>
<u>M24</u>	<u>Fail to manage crossing, insufficient clearance</u>	<u>20</u>
M25	Failure to obey yield sign	20
M31	Failure to leave sufficient distance for overtaking by other vehicles	20
M34	Following too closely	25
M40	Improper lane or location	20
M41	Failure to keep in proper lane	20
M42	Improper or erratic (unsafe) lane changes	20
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
<u>M52</u>	<u>Improper lane or location — not on National Network</u>	<u>20</u>

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE	POINTS
*****	*****	*****
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 line(s)	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
M77	Passing with insufficient distance or visibility	20
M84	Reckless driving	55
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

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE	POINTS
*****	*****	*****
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	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
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

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE *****	DESCRIPTION OF OFFENSE *****	POINTS *****
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 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
N72	Driving on wrong side of undivided street or road	20
N82	Improper backing	10
N83	Improper starting	15
S01	01-05 mph over speed limit (detail optional)	5
S06	06-10 mph over speed limit (detail optional)	5
S11	11-15 mph over speed limit (detail optional)	15
S15	Speeding 15 mph or more over the speed limit (detail optional)	20
S16	16-20 mph over speed limit (detail optional)	20

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE	POINTS
*****	*****	*****
S21	21-25 mph over speed limit (detail optional)	20
S26	26-30 mph over speed limit (detail optional)	50
S31	31-35 mph over the speed limit (detail optional)	50
S36	36-40 mph over the speed limit (detail optional)	50
S41	41 mph or more over the speed limit (detail optional)	50
S50	Speeding in school zone (detail field)	50
S51	01-10 mph over speed limit (detail optional)	5
S61	11-20 mph over speed limit (detail optional)	15
S71	21-30 mph over speed limit (detail optional)	20
S81	31-40 mph over speed limit (detail optional)	50
S91	41 mph or more over speed limit (detail optional)	50
S92	Speeding – 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
S99	Speeding in school zone (no detail field)	50
U08	Vehicular manslaughter	
<u>U31</u>	<u>Violation resulting in fatal accident</u>	<u>20</u>

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE *****	DESCRIPTION OF OFFENSE *****	POINTS *****
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~~DHR
CONVICTION
CODE~~

*****	DESCRIPTION OF OFFENSE *****	POINTS *****
AC 1	Violation of a motor vehicle law resulting in bodily injury	25
C 15	Leaving the scene of an accident involving a commercial motor vehicle	25
C 18	Excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit when operating a CMV	20
C 19	Driving a CMV in willful or wanton disregard for the safety of persons or property	55
C 20	Reckless driving, as defined by State or local law or regulation, when operating a CMV	55
C 21	Improper or erratic traffic lane changes when operating a CMV	20
C 22	Following the vehicle ahead too closely when operating a CMV	25

ACD CODE *****	DESCRIPTION OF OFFENSE *****	POINTS *****
C 23	A violation, arising in connection with a fatal accident, of State or local law relating to motor vehicle traffic control (other than a parking violation) when operating a CMV	55
DE 2	Operating with defective brakes	20
DI 4	Illegal possession of alcohol or drugs in motor vehicle	25
EM 3	Towing or pushing vehicle improperly	10

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

<u>ACD CODE</u>	<u>DESCRIPTION OF OFFENSE</u>	<u>POINTS</u>
<u>*****</u>	<u>*****</u>	<u>*****</u>
FA-1	Violation of a motor vehicle law resulting in the death of another person	25
FO-1	Following too closely	25
FO-2	Failure of a truck to leave sufficient distance for being overtaken by another vehicle	20
HR-0	Hit and run; leaving the scene; evading arrest	25
HR-1	Failure to stop and render aid after involvement in an accident resulting in bodily injury	50
HR-2	Failure to stop and reveal identify after involvement in an accident resulting in property damage only (disqualification if committed in a commercial motor vehicle)	25
IL-1	Improper lane changing	20
IL-2	Failure to keep in proper lane	20
IL-5	Making improper entrance to or exit from traffic way	10
MS-1	Starting improperly from a parked position	15
MS-2	Improper backing	10
PA-0	Passing	10
PA-1	Passing on a hill, curve or when prohibited by posted signs or pavement markings	10
PA-2	Passing on wrong side	20
PA-3	Passing with insufficient distance allowed for other vehicles or with inadequate visibility	20

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NOTICE OF PROPOSED AMENDMENTS

<u>ACD CODE</u>	<u>DESCRIPTION OF OFFENSE</u>	<u>POINTS</u>
*****	*****	*****
PA-4	Passing school bus taking on or discharging passengers or displaying warning not to pass	25
PA-5	Failure to signal intention to pass	15
PA-6	Failure to yield to overtaking vehicle	20
RK-1	Heedless, willful, wanton or reckless disregard of the rights and safety of others in operating a motor vehicle, endangering persons or property	55
RW-1	Failure to yield right of way to emergency or other authorized vehicle	15
RW-2	Failure to yield right of way at yield sign, after stop sign, or when emerging from private traffic way	20
RW-3	Failure to yield right of way in a manner required at unsigned intersection	15
RW-4	Failure to yield right of way to pedestrian, animal rider or animal drawn vehicle as required	20
SC-0	Signs and control devices	20
SC-1	Failure to follow instructions of a police officer	10
SC-2	Failure to obey traffic instructions stated on traffic sign or shown by traffic control device	20
SC-5	Failure to observe safety zone	20
SI-0	Signaling intentions	15
SI-1	Failure to signal intention to change vehicle direction or to reduce speed suddenly	15

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NOTICE OF PROPOSED AMENDMENTS

<u>ACD CODE</u>	<u>DESCRIPTION OF OFFENSE</u>	<u>POINTS</u>
*****	*****	*****
SI-2	Giving wrong signal	15
SP-0	Speeding	15
SP-2	Prima Facie speed violation for driving too fast for conditions	10
SP-3	Speed in excess of posted maximum	5
SP-4	Speed less than posted minimum	5
TU-3	Making improper turn	15
WW-1	Driving wrong way on one way street	5
WW-2	Driving on wrong side of road	20
WW-3	Driving in wrong direction at rotary intersection	5

aa) The following withdrawals will not be assigned points but will be entered on the driving record as type action -89- withdrawal:

<u>ACD CODE</u>	<u>DESCRIPTION OF OFFENSE</u>
*****	*****
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

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
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
A24	Driving under the influence of medication not intended to intoxicate
A25	Driving while impaired— ability definitely impaired
A26	Drinking alcohol while operating a vehicle
A27	Driving after drinking—level of intoxication or impairment not known
A30	Possession
A31	Illegal possession of alcohol
A32	Illegal possession of alcohol or drugs
A33	Illegal possession of drugs (controlled substances)
A34	Illegal possession of weapon, including firearm
A35	Possession of open alcohol container
A40	Aiding in violation of ignition interlock or immobilization device
A41	Driver violation of ignition interlock or immobilization device
A50	Motor vehicle used in <u>the commission of a felony involving</u> manufacturing, distributing, or dispensing a controlled substance
A51	Transporting liquor illegally

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NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

	A52	Transporting liquor to a minor
	A60	Underage convicted of drinking and driving at 0-.02 <u>or higher</u> BAC
	A61	Underage Administrative Per Se – drinking and driving at 0-.02 <u>or higher</u> BAC
	A90	DUI at .10 Admin
	A94	DUI at .04 Admin
	A98	DUI at .08 Admin
	B01	Hit and run – failure to stop and render aid after accident
	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
	B09	Refusal to reveal identity after accident
	B10	Refusal to reveal identity after accident – fatal accident
	B11	Refusal to reveal identity after accident – personal injury

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NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

B12	Refusal to reveal identity after accident—property damage accident
B13	Failure of duties upon damaging unattended vehicle or injuring animals
B14	<u>Failure to reveal identity after fatal or personal injury accident</u>
B19	<u>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</u>
B20	Driving while license withdrawn
B21	Driving while license barred
B22	Driving while license canceled
B23	Driving while license denied
B24	Driving while license disqualified
B25	Driving while license revoked
B26	Driving while license suspended
B27	Driving while license out of service order is in effect
B28	Driving while registration canceled
B29	Driving while registration suspended
B30	Permit unlicensed person to drive
B40	Possess or provide counterfeit or altered document
B41	Possess or provide counterfeit or altered driver's license (includes DL, CDL, and Instruction Permit) or ID

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
B42	Possess or provide counterfeit or altered registration or title
B43	Missing, defaced, or obscured license plates
B44	Mutilated document
B45	Mutilated driver's license (includes DL, CDL, and Instruction Permit) or ID
B46	Mutilated registration card or title
B50	Expired or no document (or item) which is required
B51	Expired or no driver's license (includes DL, CDL, and Instruction Permit)
B52	Expired or no emissions inspection
B53	Expired or no license plates or decal/sticker
B54	Expired or no registration or title
B55	Expired or no vehicle safety inspection
B56	<u>Driving a CMV without obtaining a CDL</u>
B60	Failed to file document or report as required
B61	Failed to file accident report
B62	Failed to file change of address or name
B63	Failed to file future proof of financial responsibility
B64	Failed to file insurance certification
B65	Failed to file medical certification/disability information
B70	Failed to show document as required

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

B71	Failed to show certificate of weight
B72	Failed to show driver's license (includes DL, CDL, and Instruction Permit)
B73	Failed to show emissions or vehicle (safety) inspection
B74	Failed to show insurance certification
B75	Failed to show operator's (driver's) log
B76	Failed to show registration
B77	Failed to show registration, title or driver's license (includes DL, CDL, and Instruction Permit)
B80	Failed to surrender driver's license (includes DL, CDL, and Instruction Permit)
B81	Failed to surrender driver's license, registration, plates or title
B82	Failed to surrender registration, plates or title
B83	False report
B84	False report of accident
B85	False report of emissions inspection
B86	False report of odometer reading or disclosure
B87	False report of operator's (driver's) log
B88	False report of theft
B89	False report of vehicle (safety) inspection

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

~~B90 Failed to provide or submit title transfer documents~~

B91 Improper classification or endorsement on driver's license (includes DL, CDL, and Instruction Permit)

~~B92 Loan driver's license (includes DL, CDL, and Instruction Permit) to another person~~

~~B93 Loan registration or plates to another person~~

~~D01 Misrepresentation of identity or other facts~~

D02 Misrepresentation of identity or other facts on application for driver's license (includes DL, CDL, and Instruction Permit)

~~D03 Misrepresentation of identity or other facts on application for handicap permit/plates~~

~~D04 Misrepresentation of identity or other facts on application for registration or title~~

~~D05 Misrepresentation of identity or other facts to avoid arrest or prosecution~~

D06 Misrepresentation of identity or other facts to obtain alcohol

D07 Possess multiple driver's licenses (includes DL, CDL, and Instruction Permit)

D10 Manufacture or duplicate false driver's license (includes DL, CDL, and Instruction Permit)

~~D11 Manufacture or duplicate false emissions or vehicle (safety) inspection certificates~~

~~D12 Manufacture or duplicate false registration or title~~

~~D15 Present or use improperly—document (or item) not specified~~

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
D16	Present or use improperly – driver's license (includes DL, CDL and Instruction Permit)
D17	Present or use improperly—emissions or vehicle (safety) inspection certificate
D18	Present or use improperly—insurance certification
D19	Present or use improperly—operator's (driver's) log
D20	Present or use improperly—registration, plates, or decal/sticker
D21	Present or use improperly—registration or title
D25	Use another's driver's license (includes DL, CDL, and Instruction Permit)
D26	Use another's registration, plates, or title
D27	Violate limited license conditions
D28	Violate limits of registration (manufacturer, transporter, dealer, farm, antique, etc.)
D29	Violate restrictions of 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

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
D40	Failure to appear
D41	Failure to appear for hearing and/or mandatory appearance
D42	Failure to appear for and/or complete department investigations
D43	Failure to appear for or complete examination/re-examination
D44	Failure to appear for or complete required courses
D45	Failure to appear for trial or court appearance
D50	Failure to make required payment
D51	Failure to make required payment of child support
D52	Failure to make required payment of fee
D53	Failure to make requirement payment of fine and costs
D54	Failure to make required payment of tax
D55	Failure to make required payment of toll
<u>D56</u>	<u>Failure to answer a citation, pay fines, penalties and/or costs related to the original violation</u>
D65	Depositing harmful (including injurious and for burning) substance on traffic way
D66	Failure to remove harmful substance from traffic way
D67	Littering from a motor vehicle
D68	Throwing from vehicle, any harmful substance
D70	Driver's view obstructed

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

~~D71 Exceeding hours on duty limitations~~

D72 Inability to control vehicle

~~D73 Obscuring, tampering with, or illegally displaying traffic control devices, warning, or instructions~~

D74 Operating a motor vehicle improperly because of drowsiness

D75 Operating a motor vehicle improperly due to physical or mental disability

~~D76 Perjury~~

~~D77 Sex offense in a motor vehicle~~

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

~~E20 Use of equipment prohibited by law~~

~~E21 Use of colored lights and/or siren prohibited by law~~

~~E22 Use of emergency vehicle markings prohibited by law~~

E23 Use of radar or laser detector prohibited by law

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

	E24	Use of vehicle lights prohibited by law
	E30	Defective equipment
	E31	Defective brakes
	E32	Defective emissions control device
	E33	Defective HAZMAT safety devices
	E34	Defective lights
	E35	Defective or noisy exhaust system or muffler
	E36	Defective school bus equipment
	E37	Defective tires
	E50	Failure to use equipment as required
	E51	Failure to use brakes
	E52	Failure to use disabled vehicle lights, reflectors, or flares as required
	E53	Failure to use HAZMAT safety devices as required
	E54	Failure to use headlight dimmer as required
	E55	Failure to use lights as required
	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

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
E71	Brakes used improperly
E72	Emissions control device used improperly or obstructed
E73	Equipment used improperly—making excessive noise
E74	Exhaust system used improperly or obstructed
E80	Failure to correct defects after inspection failure or notice
F01	Safety equipment not used properly as required
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
F10	Exceeding or violating size, weight, or passenger cargo limits
F11	Exceeding or violating passenger or cargo limits of vehicle/truck
F12	Exceeding or violating size limits of vehicle/truck
F13	Exceeding or violating weight limits of vehicle/truck
F14	Exceeding or violating passenger or cargo limits of motorcycle
F15	Exceeding or violating size limits of road/bridge/tunnel
F16	Exceeding or violating weight limits of road/bridge/tunnel
F20	Failure to weigh vehicle or stop at weigh station

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

- | F21 No/improper trip permit
- | F22 No warning for projecting load
- | F23 Spilling, dragging, unsecured or unsafe load
- | F24 Violation of excess size/weight permit
- | F30 Failure to place red flags or flares
- | F31 Failure to set brake(s)
- | F32 Non-emergency stop
- | F33 Parking in a handicap zone
- F34 Stopping, standing, or parking: obstructing or impeding traffic
- | F35 Stopping, standing, or parking where prohibited or improper
- | F40 Improper vehicle used on roadway
- | F41 Operate or permit vehicle where prohibited or not authorized
- | F60 Abandoned vehicle
- | F61 Alteration of emissions control device
- | F62 Failed to get VIN
- | F63 Leaving vehicle unattended with engine running
- | F64 Opening vehicle door into moving traffic or while vehicle is in motion
- | F65 Towing or pushing vehicle improperly

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
F66	Unsafe condition of vehicle (no specified component)
M01	Failure to obey
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
M06	Failure to obey motor carrier rules/regulations
M07	Failure to obey pedestrian control/device
M08	Failure to obey police or peace officer
M09	Failure to obey railroad crossing restrictions
M10	Failure to obey railroad gates, signs, or signals
M11	Failure to obey restricted lane
M12	Failure to obey safety zone
M13	Failure to obey school crossing guard
<u>M14</u>	<u>Failure to obey sign or traffic control device</u>
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

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
M19	Failure to obey yield sign
<u>M20</u>	<u>Failure to slow down to check if tracks are clear</u>
<u>M21</u>	<u>Fail to stop at crossing if tracks not clear</u>
<u>M22</u>	<u>Failure to stop before driving onto crossing</u>
<u>M23</u>	<u>Fail to have space to drive through crossing</u>
<u>M24</u>	<u>Fail to manage crossing, insufficient clearance</u>
M25	Failure to stop; basic rule at unsigned intersection or when entering roadway from private driveway, alley, etc.
M30	Following improperly
M31	Failure to <u>leave sufficient distance for overtaking by other vehicles</u> obey stop basic rule at unsigned intersection or when entering roadway
M32	Following emergency vehicle unlawfully
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

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
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
M52	Improper lane or location – not on National Network
M53	Improper lane or location – not on route authorized by permit
M54	Improper lane or location – not on truck route
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
M61	Improper lane or location – straddling center line(s)
M62	Improper lane or location – traveling in turn (or center) lane
M70	Improper passing
M71	Passing in violation of posted sign or pavement marking

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
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	Reckless, careless, or negligent driving
M81	Careless driving
M82	Inattentive driving
M83	Negligent driving
M84	Reckless driving
N01	Failure to yield right of way
N02	Failure to yield right of way to animal rider or animal drawn vehicle
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

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NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
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
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
N43	Failure to signal lane change or turn
N44	Giving wrong signal
N50	Improper turn
N51	Improper method of turning

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
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 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)
N81	Clinging to other vehicles
N82	Improper backing
N83	Improper starting
N84	Unsafe operations
S01	01-05 mph above speed limit (detail optional)
S06	06-10 mph above speed limit (detail optional)

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NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

- | ~~S11~~ ~~11-15 mph above speed limit (detail optional)~~
- S15 Speeding 15 mph or more above speed limit (detail optional)
- S16 16-20 mph above speed limit (detail optional)
- S21 21-25 mph above speed-limit (detail optional)
- S26 26-30 mph above speed limit (detail optional)
- S31 31-35 mph above speed limit (detail optional)
- S36 36-40 mph above speed limit (detail optional)
- S41 41 mph or more above speed limit (detail optional)
- | ~~S50~~ ~~Speeding in school zone (detail optional)~~
- S51 01-10 mph above speed limit (detail optional)
- | ~~S61~~ ~~11-20 mph above speed limit (detail optional)~~
- S71 21-30 mph above speed limit (detail optional)
- S81 31-40 mph above speed limit (detail optional)
- S91 41 mph or more above speed limit (detail optional)
- S92 Speeding; speed limit and actual speed (detail required)
- S93 Speeding
- S94 Prima facie speed violation or driving too fast for conditions
- S95 Speed contest (racing) on road open to traffic

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
S96	Speed less than minimum
S97	Operating at erratic or suddenly changing speeds
S98	Speeding or freeway (wasting fuel)
S99	Speeding in school zone (no detail field)
U01	Fleeing or evading police or roadblock
U02	Resisting arrest
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	<u>Negligent homicide while operating a CMV</u>
U10	<u>Causing a fatality through the negligent operation of a CMV</u>
U20	<u>Damaging or tampering with vehicle</u>
U21	Illegal operation of emergency vehicle
U22	<u>Odometer reading tampering</u>
U23	<u>Receiving or disposing of stolen vehicle or its parts</u>

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD CODE	DESCRIPTION OF OFFENSE
*****	*****
U24	Removal, falsification, or unauthorized use of VIN or registration plate
U25	Unauthorized use of a vehicle or taking a vehicle without owner consent
U26	Vehicle theft
U30	Violation resulting in accident
U31	Violation resulting in fatal accident
U32	Violation resulting in personal injury accident
U33	Violation resulting in property damage accident
W00	<u>Withdrawal, non-ACD violation</u>
W01	Accumulation of convictions (including point systems and/or being judged a habitual offender or violator)
W09	<u>Failure to surrender hazmat endorsement as required by the USA Patriot Act</u>
W10	Withdrawal (reason not specified)
W11	Family report recommended
W12	Immigration law offender
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
W21	Unable to pass re-examination

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

ACD
CODE

DESCRIPTION OF OFFENSE

~~W22~~

~~Underage for license~~

~~W23~~

~~Underage possession of tobacco~~

~~W24~~

~~Underage school dropout~~

~~W25~~

~~Disobeying terms of probation~~

~~W26~~

~~Insufficient funds, protested or invalid check~~

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

W50

The accumulation, within 10 years, of two out-of-service general violations

W51

The accumulation of two out-of-service order violations within 10 years while transporting 16 or more passengers, including the driver, and/or transporting hazardous materials 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

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

~~DHR
WITHDRAWAL
CODE~~

~~DESCRIPTION OF WITHDRAWAL~~

~~*****~~

~~C 11 Driving a commercial motor vehicle while the person's alcohol concentration is 0.04 percent or more~~

~~C 13 Refusal to undergo such testing as is required by any State or jurisdiction~~

~~C 51 Disqualification for driving a CMV while the person's alcohol concentration is 0.04 percent or more~~

~~C 52 Disqualification for driving under the influence of alcohol, as prescribed by State law~~

~~C 53 Disqualification for refusal to undergo such testing as is required by any State or jurisdiction~~

~~C 54 Disqualification for driving a CMV while under the influence of a controlled substance as defined under Section 102(6) of the Controlled Substances Act (21 USC 802(6))~~

~~C 55 Disqualification for leaving the scene of an accident involving a CMV~~

~~C 56 Disqualification for a felony involving the use of a CMV as in C 16~~

~~C 61 As in C 51, but involving hazardous materials~~

~~C 62 As in C 52, but involving hazardous materials~~

~~C 63 As in C 53, but involving hazardous materials~~

~~C 64 As in C 54, but involving hazardous materials~~

~~C 65 As in C 55, but involving hazardous materials~~

~~C 66 As in C 56, but involving hazardous materials~~

~~C 70 Disqualification for the use of a CMV in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance~~

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

DHR
WITHDRAWAL
CODE

DESCRIPTION OF WITHDRAWAL

as in C-17

~~C-71 Disqualification for 2nd offense for any combination of violations as described in C-11-C-16~~

~~C-80 Disqualification of a driver who during any 3-year period is convicted of two serious traffic violations in separate incidents. Disqualification period is 60 days.~~

~~C-81 Disqualification of a driver who during any 3-year period is convicted of three serious traffic violations in separate incidents. Disqualification period is 120 days.~~

~~C-99 24 Hour Out-of-Service Order~~

~~DI-3 Refusal to submit to a test for alcohol, after arrest for driving while intoxicated or suspension of intoxication thereof.~~

(Source: Amended at 30 Ill. Reg. _____, effective _____)

ILLINOIS STATE TREASURER

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Hospital Basic Preservation Act
- 2) Code Citation: 74 Ill. Adm. Code 755
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
755.100	New
755.200	New
755.300	New
755.400	New
755.500	New
755.600	New
- 4) Statutory Authority: Implementing and authorized by Section 25 of the Hospital Basic Services Preservation Act [20 ILCS 4050/25].
- 5) A Complete Description of the Subject and Issues Involved: These rules deal with a low interest loan program established by the Illinois State Treasurer's Office that allows hospitals experience financial difficulties to obtain low interest loans. Hospitals that qualify as Essential Community Hospital Providers can apply to obtain loans guaranteed by moneys deposited into the banks providing the loans. This guarantee allows hospitals to obtain financial assistance that they may otherwise have been unable to obtain.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

ILLINOIS STATE TREASURER

NOTICE OF PROPOSED RULES

Mr. Bradley Goodrich
Office of the Illinois State Treasurer
300 W. Jefferson
Springfield, IL 62702

Phone: 217/782-1305

Comments received within 45 days after the date of publication in the *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of affected small businesses, small municipalities and not for profit corporations: Not for profit hospitals that qualify as Essential Community Hospital Providers may be affected.
 - B) Reporting, bookkeeping or other procedures required for compliance: Reporting, bookkeeping, and financial analysis will be required for compliance.
 - C) Types of professional skills necessary for compliance: Hospital administrators would already possess the skills necessary for compliance.
- 14) Regulatory Agenda on which this rulemaking was summarized: None. Due to this issue arising recently, the Treasurer's Office was unable to submit an agenda covering these Proposed Rules.

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

ILLINOIS STATE TREASURER

NOTICE OF PROPOSED RULES

TITLE 74: PUBLIC FINANCE

CHAPTER V: TREASURER

PART 755

HOSPITAL BASIC PRESERVATION ACT

Section

755.100	Introduction
755.200	Definitions
755.300	Preferred Hospitals
755.400	Hospital Responsibilities
755.500	Bank Proposals
755.600	Treasurer Review

AUTHORITY: Implementing and authorized by Section 25 of the Hospital Basic Services Preservation Act [20 ILCS 4050/25].

SOURCE: Adopted at 30 Ill. Reg. _____, effective _____.

Section 755.100 Introduction

- a) This Part has been developed to regulate the Hospital Basic Services Preservation Fund. It delineates the Treasurer's role in the maintenance and administration of the Fund.
- b) The Treasurer aims to ensure the Fund will be used to enable essential community hospitals to continue to provide basic quality health care services, especially those that aid the elderly and those exhibiting financial need who would not otherwise be able to receive the services, that are subject to and meet standards of need under the Health Facilities Planning Act [20 ILCS 4050].

Section 755.200 Definitions

The following words or phrases, when used in this Part, shall have the meanings ascribed to them in this Section.

"Act" – the Hospital Basic Services Preservation Act [20 ILCS 4050].

ILLINOIS STATE TREASURER

NOTICE OF PROPOSED RULES

"Basic Services" – *emergency room and obstetrical service provided within a hospital. "Basic services" is limited to the emergency room and obstetric units and services provided within those units* [20 ILCS 4050/5].

"Eligible Expenses" – *expenses for expanding obstetrical or emergency units, updating equipment, repairing essential equipment, and purchasing new equipment that will increase the quality of basic services provided. "Eligible expenses does not include expenses relating to cosmetic upgrades, staff expansion or salary, or structural expansion of any unit or department of a hospital.* [20 ILCS 4050/5]

"Essential Community Hospital Provider" – an Illinois general acute care hospital as described in 89 Ill. Adm. Code 148.270(c)(1) that would not otherwise be able to meet financial institution credit standards for issuance of a standard commercial loan or obtain the loan at an affordable rate.

"Fund" – the Hospital Basic Services Preservation Fund established in Section 10 of the Act.

"Treasurer" – the Office of Illinois State Treasurer.

Section 755.300 Preferred Hospitals

- a) Preference shall be given to those facilities that serve significant numbers of Medicaid recipients to preserve access to basic services.
- b) Additional preference shall be given to those facilities that qualify for expedited reimbursement for medical services as described in 89 Ill. Adm. Code 140.71.

Section 755.400 Hospital Responsibilities

Each hospital receiving a loan collateralized under the Act shall:

- a) Submit a proposal that guarantees all loan related expenditures will be spent on the basic services for which the loan was approved.
- b) File quarterly reports with the Treasurer that include a detailed accounting of all expenditures that arose out of the loan.

Section 755.500 Bank Proposals

ILLINOIS STATE TREASURER

NOTICE OF PROPOSED RULES

- a) Before disbursing moneys from the Fund, the Treasurer shall contact at least 5 approved financial institutions.
- b) Potential lenders shall provide the Treasurer with an estimated collateralization ratio and a potential range of interest rates applicable to the proposed loan.

Section 755.600 Treasurer Review

It shall be within the discretion of the Treasurer to:

- a) Review whether applicant hospitals offer requisite basic services as defined by the Act.
- b) Review whether applicant hospitals are seeking funds to cover eligible expenses as defined by the Act.
- c) Determine whether the applicant hospital is an essential care provider as defined by the Act and this Part.

STATE UNIVERSITIES RETIREMENT SYSTEM

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Universities Retirement
- 2) Code Citation: 80 Ill. Adm. Code 1600
- 3) Section Number: 1600.122 Proposed Action: Amendment
- 4) Statutory Authority: 40 ILCS 5/15-177
- 5) A Complete Description of the Subjects and Issues Involved: Amendment to the current rule to incorporate changes in accordance with Public Act 94-1057.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 proposed rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
1600.25	New Section	30 Ill. Reg. 6106; 04/7/06
1600.100	Amendment	30 Ill. Reg. 6106; 04/7/06
1600.135	New Section	30 Ill. Reg. 6106; 04/7/06

- 11) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Albert J. Lee, Assistant General Counsel
 State Universities Retirement System
 1901 Fox Drive
 Champaign IL 61820

STATE UNIVERSITIES RETIREMENT SYSTEM

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(217) 378-7516

- 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: None

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

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TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE D: RETIREMENT SYSTEMS
CHAPTER II: STATE UNIVERSITIES RETIREMENT SYSTEMPART 1600
UNIVERSITIES RETIREMENT

SUBPART A: MISCELLANEOUS PROCEDURES

Section	
1600.10	Definitions
1600.20	Dependency of Beneficiaries
1600.30	Crediting Interest on Employee Contributions and Other Reserves
1600.40	Election to Make Contributions Covering Leave of Absence at Less Than 50% Pay
1600.50	Election to Pay Contributions Based Upon Employment Which Preceded Certification as a Participant
1600.55	Election to Make Contributions Covering Periods of Military Leave
1600.60	Sick Leave Accrual Schedule
1600.70	Procedures to be followed in Medical Evaluation of Disability Claims
1600.80	Rules of Practice-Nature and Requirements of Formal Hearings
1600.90	Excess Benefit Arrangement
1600.100	Freedom of Information Act
1600.110	Open Meetings Act
1600.120	Twenty Percent Limitation on Final Rate of Earnings Increases
1600.121	Determination of Final Rate of Earnings Period
1600.122	Employer Contributions for Benefit Increases Resulting from Earnings Increases Exceeding 6%
1600.123	Part-time/Concurrent Service Adjustments
1600.125	Compensation Subject to Withholding
1600.130	Procurement
1600.137	Overpayment Recovery
1600.139	Voluntary Deductions from Annuity Payments
1600.140	Making Preliminary Estimated Payments

SUBPART B: QUALIFIED ILLINOIS DOMESTIC RELATIONS ORDERS

Section	
1600.150	Definitions
1600.151	Requirements for a Valid Qualified Illinois Domestic Relations Order

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- 1600.152 Curing Minor Deficiencies
- 1600.153 Filing a QILDRO with the System
- 1600.154 Modified QILDROs
- 1600.155 Benefits Affected by a QILDRO
- 1600.156 Effect of a Valid QILDRO
- 1600.157 QILDROs Against Persons Who Became Members Prior to July 1, 1999
- 1600.158 Alternate Payee's Address
- 1600.159 Electing Form of Payment
- 1600.160 Automatic Annual Increases
- 1600.161 Expiration of a QILDRO
- 1600.162 Reciprocal Systems QILDRO Policy Statement
- 1600.163 Providing Benefit Information for Divorce Purposes

1600.APPENDIX A Chart Outlining Hearing Procedures (Repealed)

AUTHORITY: Implementing and authorized by Section 15-177 of the Illinois Pension Code [40 ILCS 5/15-177].

SOURCE: Amended September 2, 1977; amended at 2 Ill. Reg. 31, p.53, effective July 30, 1978; amended at 7 Ill. Reg. 8139, effective June 29, 1983; codified at 8 Ill. Reg. 19683; amended at 11 Ill. Reg. 15656, effective September 9, 1987; amended at 13 Ill. Reg. 18939, effective November 21, 1989; amended at 14 Ill. Reg. 6789, effective April 20, 1990; emergency amendment at 21 Ill. Reg. 4864, effective March 26, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 6095, effective May 2, 1997; amended at 21 Ill. Reg. 11962, effective August 13, 1997; amended at 21 Ill. Reg. 12653, effective August 28, 1997; amended at 22 Ill. Reg. 4116, effective February 9, 1998; amended at 23 Ill. Reg. 13667, effective November 1, 1999; amended at 25 Ill. Reg. 10206, effective July 30, 2001; amended at 28 Ill. Reg. 2292, effective January 23, 2004; expedited correction at 28 Ill. Reg. 7575, effective January 23, 2004; amended at 29 Ill. Reg. 2729, effective March 1, 2005; amended at 29 Ill. Reg. 11819, effective July 12, 2005; amended at 29 Ill. Reg. 14060, effective September 1, 2005; amended at 29 Ill. Reg. 14351, effective September 6, 2005; amended at 30 Ill. Reg. 6170, effective March 21, 2006; amended at 30 Ill. Reg. 7778, effective April 5, 2006; amended at 30 Ill. Reg. 9911, effective May 9, 2006; amended at 30 Ill. Reg. _____, effective _____.

SUBPART A: MISCELLANEOUS PROCEDURES

Section 1600.122 Employer Contributions for Benefit Increases Resulting from Earnings Increases Exceeding 6%

Purpose. This Section implements 40 ILCS 5/15-155(g), (h), (i), (j), and (k).

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- a) Calculation of the Employer Cost. This calculation is made where a monthly benefit is calculated from the participant's final rate of earnings (FRE). ~~The~~ Where the monthly benefit exceeds the "Base Amount", the "present value of the increase in benefits" described in Section 15-155(g), called the "Employer Cost", will be calculated as follows:
- 1) The ~~"Base Amount" is calculated by limiting~~ earnings, as defined in Section 15-111, for every academic year in the ~~FRE~~ final rate of earnings period, as defined in Section 15-112, are adjusted on a full-time equivalent basis to 106% of the earnings paid in the prior academic year.
- A) 48 Month FREs and Partial Academic Years. Where the final rate of earnings for a participant is the average annual earnings during the 48 consecutive calendar month period ending with the last day of final termination of employment, any partial academic year at the beginning of the final rate of earnings period will be disregarded.
- B) Full-Time Equivalent Basis.
- i) The System shall adjust earnings from an employer in a manner consistent with the percent time employed reported by the employer.
- ii) The full-time equivalent earnings of each month shall equal the month's earnings divided by the percent time worked. The full-time equivalent earnings of an academic year shall be the total of all monthly full-time equivalent earnings in the academic year.
- C) Earnings credited during periods of service purchased under Sections 15-113.1 through 15-113.7 shall be determined on a full-time equivalent basis.
- D) For the purpose of Section 15-155(h), earnings do not include payments made under a collective bargaining agreement for unused sick leave or payments made for unused vacation.

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- 2) The full-time equivalent earnings of each academic year in the FRE period are limited to 106% of the previous academic year's full-time equivalent earnings to yield the "Capped Full-Time Equivalent Earnings" of each academic year. If the participant had employment with more than one employer during the final rate of earnings period, the monthly benefit and the base amount are calculated separately for each employer using only the earnings with that employer.
 - 3) The Capped Full-Time Equivalent Earnings of each academic year are multiplied by the respective percent time of employment to yield the "Weighted Capped Earnings" for each academic year. The Weighted Capped Earnings shall be used to determine a "Weighted Capped FRE". When the member worked at various percent times in an academic year, the percent time of employment for an academic year shall be the average percent time worked in the academic year, weighted by the number of months worked at each percent time. The Base Amount is subtracted from the monthly benefit to determine the "Benefit Increase".
 - 4) The "Benefit Increase" shall equal the difference between the FRE and the Weighted Capped FRE, multiplied by the number of years of service, and further multiplied by 2.2%.
 - 54) The "Employer Cost" equals the actuarial present value of the Benefit Increase. This actuarial present value calculation will be made by using actuarial tables provided by the System's actuary from time to time. The actuarial table used will correspond with the type of monthly benefit that is provided to the participant. A single-life annuity table will be used where a Traditional Benefit Package participant has no eligible survivor at the time of retirement. If the participant had employment with more than one employer during the final rate of earnings period, the Employer Cost is calculated for each employer using only the earnings with that employer.
- b) Employer Billing-
- 1) Billing. Whenever it determines that a payment is or may be required under Section 15-155(g), the System shall calculate the amount of the payment and bill the employer for the amount. The bill shall specify the calculations used to determine the amount due. Initial Notice. After finalizing a participant's benefit, the System will send a notice to an

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~~employer containing the Employer Cost and the earnings from which the Employer Cost was derived. The notice will state that employer will be billed for the Employer Cost with respect to the participant's benefit on the 15th day (or the following business day if the 15th day falls on a holiday or a weekend) of the second calendar month following the date of the notice. For example, if the notice is dated January 10, 2006, the employer will be billed on March 15, 2006.~~

- 2) ~~Request for Recalculation. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify the grounds of the dispute and, if the employer asserts the calculation is subject to Section 15-155(h) or 15-155(i), must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of Section 15-155(h) or 15-155(i). Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.~~ ~~The employer will have 30 days from the date of the notice during which it may contest the earnings stated in the notice pursuant to the administrative hearing procedures set forth in Section 1600.80 of this Part as if the employer were a "participant, annuitant, or beneficiary" under that Section.~~

- 3) ~~Payment. The employer contributions required under Section 15-155(g) may be paid in the form of a lump sum within 90 days after the receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's prescribed rate of interest (defined under Section 15-125(1)) compounded annually from the 91st day after the receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill. [40 ILCS 5/15-155(g)]~~ ~~Billing. The bill for the Employer Cost will be sent on the 15th day (or the following business day if the 15th day falls on a holiday or a weekend) of the second calendar month following the date after the notice. The employer must pay the lump sum amount specified in the bill within 30 days after its receipt, except as to any contested amounts. The employer must pay any contested amount within 30 days after a final non appealable decision.~~

- c) ~~Exclusions for earnings increases paid on or after June 1, 2005, but before July 1, 2011, under Section 15-155(h).~~

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1) Grandfathering. *When assessing payment for any amount due under Section 15-155(g), the System shall exclude earnings increases paid to participants under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005. [40 ILCS 5/15-155(hg)] does not apply to earnings increases paid to participants under contracts or collectively bargained agreements entered into, amended, or renewed before June 1, 2005.* Such contracts are "grandfathered". For the purposes of Section 15-155(h)~~this Section~~:

- A1) A contract or collective bargaining agreement is entered into, amended or renewed on the earliest of the following:
- iA) the date the governing body of the employer voted to accept the contract or collective bargaining agreement;
 - iiB) the date the contract or collective bargaining agreement was executed in final form by the parties; or
 - iiiC) the date the parties to the contract or collective bargaining agreement reached a tentative agreement regarding the terms of the contract or collective bargaining agreement, provided and that the tentative agreement is subsequently approved by the governing body of the employer on or after June 1, 2005, without any ~~changes~~change to ~~the~~its terms, other than pursuant to modifications that do not have the effects described under subsection (c)(1)(B)(i) or (c)(1)(B)(ii) alter the grandfathered status of the contract or collective bargaining agreement.
- B2) A contract or collective bargaining agreement will not ~~exclude~~exempt earnings increases paid under the contract or agreement if the contract or agreement is amended or renegotiated after June 1, 2005, to have the effect of:
- iA) increasing the earnings usable for the FRE (except where the increase is the result of a salary reopener provision, which provision was a part of the contract or collective bargaining agreement prior to June 1, 2005); or

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- ~~iiB)~~ extending the expiration date of the contract (in such case, the earnings will be ~~excluded~~~~exempted~~ only through the original expiration date of the contract).
- ~~C3)~~ A contract exception made by an employer for an individual shall ~~disqualify~~~~remove~~ that individual's earnings increases from ~~grandfathering the exemption~~ but shall not invalidate the ~~grandfathering contractual exemption~~ for any other persons. A memorandum of understanding between the employer and the collective bargaining unit to increase the credit hours available shall not invalidate the contract, but any earnings increases because of the increased credit hours shall not be ~~excluded~~~~exempt~~ from the calculation under subsection (a) of this Section, unless Section 15-155(h) or 15-155(i) applies.
- 4) ~~When a member has given notice to the employer of his or her intent to retire pursuant to the terms of a grandfathered contract or collective bargaining agreement, earnings provided pursuant to the contract or agreement shall be exempt from employer contributions so long as the earnings are provided to the member within four years after the expiration date of the contract or collective bargaining agreement, unless a different time period is otherwise specifically provided for in the contract or collective bargaining agreement and the time period was a part of the contract or agreement prior to June 1, 2005.~~
- 2) Earnings 10 Years Prior to Retirement Eligibility. When assessing payment for any amount due under Section 15-155(g), the System shall exclude earnings increases paid to a participant at a time when the participant is 10 or more years from retirement eligibility under Section 15-135. [40 ILCS 5/15-155(h)] Earnings increases paid in academic years preceding and including the academic year during which the participant was 10 years from attaining his or her earliest retirement eligibility shall be excluded.
- 3) Overloads and Overtime
- A) Earnings increases resulting from overload work, including a contract for summer teaching, or overtime when the employer has certified to the System, and the System has approved the certification, that:

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- i) in the case of overloads:
- the overload work is for the sole purpose of academic instruction in excess of the standard number of instruction hours for a full-time employee occurring during the academic year that the overload is paid; and
 - the earnings increases are equal to or less than the rate of pay for academic instruction computed using the participant's current salary rate and work schedule; and
- ii) in the case of overtime, the overtime was necessary for the educational mission. [40 ILCS 5/15-155(h)]
- B) The certification shall be in the form adopted by the System and be signed by a duly authorized representative of the employer. The certification must be accompanied by supporting documentation as required by the form.
- C) The standard number of instruction hours for a full-time employee shall be consistent with employer policy in force for the academic year in which the overload earnings were earned.
- 4) Promotions
- A) When assessing payment for any amount due under Section 15-155(g), the System shall exclude earnings increases resulting from:
- i) a promotion for which the employee moves from one classification to a higher classification under the State Universities Civil Service System;
 - ii) a promotion in academic rank for a tenured or tenure-track faculty position; or
 - iii) a promotion that the Illinois Community College Board has recommended in accordance with Section 15-155(k).

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- B) The earnings increases referenced in subsection (c)(4)(A) shall be excluded only if the promotion is to a position that has existed and been filled by a member for no less than one complete academic year and the earnings increase as a result of the promotion is an increase that results in an amount no greater than the average salary paid for other similar positions. [40 ILCS 5/15-155(h)]
- C) The employer shall certify that the promotion is to a position that has existed and been filled by a member for no less than one complete academic year and the earnings increase as a result of the promotion is an increase that results in an amount no greater than the average salary paid for other similar positions. The certification shall be in the form adopted by the System and be signed by a duly authorized representative of the employer. The certification must be accompanied by supporting documentation as required by the form.
- D) The phrase "an amount no greater than the average salary paid for other similar positions" shall mean the midpoint of the salary range for the position or similar positions as most recently approved by the Merit Board of the State Universities Civil Service or the current average salary paid for tenured or tenure-track faculty positions in the same department, as the case may be.
- d) Exclusions for earnings increases described in Section 15-155(h) paid on or after July 1, 2011, but before July 1, 2014, under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005, but before July 1, 2011, under Section 15-155(i). For the purpose of Section 15-155(i), a contract or collective bargaining agreement is entered into, amended or renewed on the earliest of the following:
- 1) the date the governing body of the employer voted to accept the contract or collective bargaining agreement;
 - 2) the date the contract or collective bargaining agreement was executed in final form by the parties; or
 - 3) the date the parties to the contract or collective bargaining agreement reached a tentative agreement regarding the terms of the contract or

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collective bargaining agreement, provided that the tentative agreement is subsequently approved by the governing body of the employer on or after July 1, 2011, without any changes to the terms that have the effect of extending the expiration date.

- e) The exclusions under subsections (c) and (d) shall not apply to earnings increases paid after June 30, 2014.

(Source: Amended at 30 Ill. Reg. _____, effective _____)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Aid to the Aged, Blind or Disabled
- 2) Code Citation: 89 Ill. Adm. Code 113
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
113.253	Amendment
113.260	Amendment
- 4) Statutory Authority: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III and 12-13]
- 5) Effective Date of Amendments: September 21, 2006
- 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 amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: April 21, 2006; 30 Ill. Reg. 6662
- 10) Has JCAR Issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: No changes were made in the text of the proposed amendments.
- 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 amendments currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: A grant adjustment is an allowance for the Aged, Blind or Disabled cases that ensures that the amount of the Supplemental Security Income (SSI) increase from July 1977 and later will be available to clients. To comply with federal regulations, this rulemaking increases the grant adjustment and sheltered care/personal or nursing care rate amounts by the amount of the increase in Social Security and SSI benefits. In order to maintain the benefit levels, these changes increase

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the AABD Grant Adjustment Allowance and Sheltered Care, Personal Care or Nursing Care rates by \$24.00, the amount of the January 2006 SSA/SSI benefit increase.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762

217/785-9772

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 113
AID TO THE AGED, BLIND OR DISABLED

SUBPART A: GENERAL PROVISIONS

Section

- 113.1 Description of the Assistance Program
- 113.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

- 113.9 Client Cooperation
- 113.10 Citizenship
- 113.20 Residence
- 113.30 Age
- 113.40 Blind
- 113.50 Disabled
- 113.60 Living Arrangement
- 113.70 Institutional Status
- 113.80 Social Security Number

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section

- 113.100 Unearned Income
- 113.101 Budgeting Unearned Income
- 113.102 Budgeting Unearned Income of Applicants Receiving Income on Date of Application And/Or Date of Decision
- 113.103 Initial Receipt of Unearned Income
- 113.104 Termination of Unearned Income
- 113.105 Unearned Income In-Kind
- 113.106 Earmarked Income
- 113.107 Lump Sum Payments and Income Tax Refunds
- 113.108 Protected Income (Repealed)
- 113.109 Earned Income (Repealed)

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- 113.110 Budgeting Earned Income (Repealed)
- 113.111 Protected Income
- 113.112 Earned Income
- 113.113 Exempt Unearned Income
- 113.114 Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
- 113.115 Initial Employment
- 113.116 Budgeting Earned Income For Contractual Employees
- 113.117 Budgeting Earned Income For Non-contractual School Employees
- 113.118 Termination of Employment
- 113.120 Exempt Earned Income
- 113.125 Recognized Employment Expenses
- 113.130 Income From Work/Study/Training Programs
- 113.131 Earned Income From Self-Employment
- 113.132 Earned Income From Roomer and Boarder
- 113.133 Earned Income From Rental Property
- 113.134 Earned Income In-Kind
- 113.139 Payments from the Illinois Department of Children and Family Services
- 113.140 Assets
- 113.141 Exempt Assets
- 113.142 Asset Disregard
- 113.143 Deferral of Consideration of Assets
- 113.154 Property Transfers For Applications Filed Prior To October 1, 1989 (Repealed)
- 113.155 Property Transfers For Applications Filed On Or After October 1, 1989 (Repealed)
- 113.156 Court Ordered Child Support Payments of Parent/Step-Parent
- 113.157 Responsibility of Sponsors of Non-citizens Entering the Country Prior to 8/22/96
- 113.158 Responsibility of Sponsors of Non-citizens Entering the Country On or After 08/22/96
- 113.160 Assignment of Medical Support Rights

SUBPART D: PAYMENT AMOUNTS

- Section
- 113.245 Payment Levels for AABD
- 113.246 Personal Allowance
- 113.247 Personal Allowance Amounts
- 113.248 Shelter
- 113.249 Utilities and Heating Fuel
- 113.250 Laundry

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113.251	Telephone
113.252	Transportation, Lunches, Special Fees
113.253	Allowances for Increase in SSI Benefits
113.254	Nursing Care or Personal Care in Home Not Subject to Licensing
113.255	Sheltered Care/Personal or Nursing Care in a Licensed Group Care Facility
113.256	Shopping Allowance
113.257	Special Allowances for Blind and Partially Sighted (Blind Only)
113.258	Home Delivered Meals
113.259	AABD Fuel and Utility Allowances By Area
113.260	Sheltered Care, Personal <u>Care</u> or Nursing Care Rates
113.261	Cases in Licensed Intermediate Care Facilities, Licensed Skilled Nursing Facilities, DMHDD Facilities and All Other Licensed Medical Facilities
113.262	Meeting the Needs of an Ineligible Dependent with Client's Income
113.263	Service Animals
113.264	Refugees Ineligible for SSI

SUBPART E: OTHER PROVISIONS

Section	
113.300	Persons Who May Be Included In the Assistance Unit
113.301	Grandfathered Cases
113.302	Interim Assistance (Repealed)
113.303	Special Needs Authorizations
113.304	Retrospective Budgeting
113.305	Budgeting Schedule
113.306	Purchase and Repair of Household Furniture (Repealed)
113.307	Property Repairs and Maintenance
113.308	Excess Shelter Allowance
113.309	Limitation on Amount of AABD Assistance to Recipients from Other States (Repealed)
113.320	Redetermination of Eligibility
113.330	Attorney's Fees for VA Appellants (Repealed)

SUBPART F: INTERIM ASSISTANCE

Section	
113.400	Description of the Interim Assistance Program
113.405	Pending SSI Application (Repealed)
113.410	More Likely Than Not Eligible for SSI (Repealed)
113.415	Non-Financial Factors of Eligibility (Repealed)

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- 113.420 Financial Factors of Eligibility (Repealed)
- 113.425 Payment Levels for Chicago Interim Assistance Cases (Repealed)
- 113.430 Payment Levels for all Interim Assistance Cases Outside Chicago (Repealed)
- 113.435 Medical Eligibility (Repealed)
- 113.440 Attorney's Fees for SSI Applicants (Repealed)
- 113.445 Advocacy Program for Persons Receiving Interim Assistance (Repealed)
- 113.450 Limitation on Amount of Interim Assistance to Recipients from Other States (Repealed)
- 113.500 Attorney's Fees for SSI Appellants (Renumbered)

AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III and 12-13].

SOURCE: Filed effective December 30, 1977; preemptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; emergency expired January 28, 1979; preemptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; preemptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; preemptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; preemptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; preemptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; preemptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10131, effective October 1,

DEPARTMENT OF HUMAN SERVICES

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1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; preemptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; preemptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; preemptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; preemptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by Sections being codified with no substantive change) at 8 Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 9669, effective May 24, 1988;

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emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 1991; emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991; amended at 15 Ill. Reg. 11142, effective July 22, 1991; amended at 15 Ill. Reg. 11948, effective August 12, 1991; amended at 15 Ill. Reg. 14073, effective September 11, 1991; emergency amendment at 15 Ill. Reg. 15119, effective October 7, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16709, effective November 1, 1991; amended at 16 Ill. Reg. 3468, effective February 20, 1992; amended at 16 Ill. Reg. 9986, effective June 15, 1992; amended at 16 Ill. Reg. 11565, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 13641, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14722, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17154, effective November 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17764, effective November 13, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 827, effective January 15, 1993; amended at 17 Ill. Reg. 2263, effective February 15, 1993; amended at 17 Ill. Reg. 3202, effective February 26, 1993; amended at 17 Ill. Reg. 4322, effective March 22, 1993; amended at 17 Ill. Reg. 6804, effective April 21, 1993; amended at 17 Ill. Reg. 14612, effective August 26, 1993; amended at 18 Ill. Reg. 2018, effective January 21, 1994; amended at 18 Ill. Reg. 7759, effective May 5, 1994; amended at 18 Ill. Reg. 12818, effective August 5, 1994; amended at 19 Ill. Reg. 1052, effective January 26, 1995; amended at 19 Ill. Reg. 2875, effective February 24, 1995; amended at 19 Ill. Reg. 6639, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 8409, effective June 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15034, effective October 17, 1995; amended at 20 Ill. Reg. 858, effective December 29, 1995; emergency amendment at 21 Ill. Reg. 673, effective January 1, 1997, for a maximum of a 150 days; amended at 21 Ill. Reg. 7404, effective May 31, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 22 Ill. Reg. 13642, effective July 15, 1998; emergency amendment at 22 Ill. Reg. 16348, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 18931, effective October 1, 1998; emergency amendment at 22 Ill. Reg. 21750, effective November 24, 1998, for a maximum of

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150 days; emergency amendment at 23 Ill. Reg. 579, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1607, effective January 20, 1999; amended at 23 Ill. Reg. 5548, effective April 23, 1999; amended at 23 Ill. Reg. 6052, effective May 4, 1999; amended at 23 Ill. Reg. 6425, effective May 15, 1999; amended at 23 Ill. Reg. 6935, effective May 30, 1999; amended at 23 Ill. Reg. 7887, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8650, effective July 13, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 10161, effective August 3, 1999; amended at 23 Ill. Reg. 13852, effective November 19, 1999; amended at 24 Ill. Reg. 2328, effective February 1, 2000; amended at 24 Ill. Reg. 11622, effective July 18, 2000; amended at 24 Ill. Reg. 13394, effective August 18, 2000; amended at 25 Ill. Reg. 5326, effective March 30, 2001; amended at 26 Ill. Reg. 179, effective January 1, 2002; amended at 26 Ill. Reg. 8532, effective May 31, 2002; amended at 26 Ill. Reg. 13521, effective September 3, 2002; amended at 27 Ill. Reg. 7252, effective April 7, 2003; amended at 28 Ill. Reg. 11139, effective July 21, 2004; emergency amendment at 28 Ill. Reg. 11366, effective July 21, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 12469, effective August 20, 2004, for a maximum of 150 days; emergency expired January 16, 2005; amended at 29 Ill. Reg. 648, effective December 16, 2004; amended at 29 Ill. Reg. 5703, effective April 11, 2005; amended at 29 Ill. Reg. 10176, effective July 5, 2005; amended at 30 Ill. Reg. 16065, effective September 21, 2006.

SUBPART D: PAYMENT AMOUNTS

Section 113.253 Allowances for Increase in SSI Benefits

- a) An allowance for ~~\$424.90~~~~400.90~~ is authorized for all AABD cases as a "grant adjustment". A grant adjustment is an allowance that ensures that the amount of the SSI increase from July 1977 and later will be available to clients.
- b) EXCEPTIONS: For clients whose assistance payments include an allowance for Sheltered Care or Care Not Subject to Licensing a "grant adjustment" of \$10 is authorized. Individuals residing in long term group care facilities do not receive any "grant adjustment".

(Source: Amended at 30 Ill. Reg. 16065, effective September 21, 2006)

Section 113.260 Sheltered Care, Personal Care or Nursing Care Rates

Group A Counties	Needs Assessment	Group B Counties
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<u>1000</u> 976.00	0-7	<u>1013</u> 989.00
<u>1005</u> 981.00	8	<u>1020</u> 996.00
<u>1011</u> 987.00	9	<u>1026</u> 1002.00
<u>1016</u> 992.00	10	<u>1033</u> 1009.00
<u>1022</u> 998.00	11	<u>1040</u> 1016.00
<u>1027</u> 1003.00	12	<u>1046</u> 1022.00
<u>1033</u> 1009.00	13	<u>1053</u> 1029.00
<u>1038</u> 1014.00	14	<u>1059</u> 1035.00
<u>1044</u> 1020.00	15	<u>1066</u> 1042.00
<u>1049</u> 1025.00	16	<u>1073</u> 1049.00
<u>1055</u> 1031.00	17	<u>1079</u> 1055.00
<u>1060</u> 1036.00	18	<u>1086</u> 1062.00
<u>1066</u> 1042.00	19	<u>1092</u> 1068.00
<u>1071</u>	20	<u>1099</u>

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1047.00		1075.00
<u>1077</u>	21	<u>1106</u>
1053.00		1082.00
<u>1082</u>	22	<u>1112</u>
1058.00		1088.00
<u>1088</u>	23	<u>1119</u>
1064.00		1095.00
<u>1093</u>	24	<u>1125</u>
1069.00		1101.00

- a) Group A Counties are counties other than Cook, DuPage, Kane, Lake and Will.
- b) Group B Counties are Cook, DuPage, Kane, Lake and Will.
- c) Rate includes shelter factor and approved activity and social rehabilitation programs.

(Source: Amended at 30 Ill. Reg. 16065, effective September 21, 2006)

STATE BOARD OF ELECTIONS

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Miscellaneous
- 2) Code Citation: 26 Ill. Adm. Code 207
- 3) Section Number: 207.150 Adopted Action:
Added
- 4) Statutory Authority: Implementing Sections 4-8, 5-7, 6-35, 19-4 and 20-4 and authorized by Section 1A-8(9) of the Election Code [10 ILCS 5/4-8, 5-7, 6-35, 19-4, 20-4 and 1A-8(9)]
- 5) Effective Date of Rulemaking: September 30, 2006
- 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 amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 9253; May 19, 2006
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: No substantive differences.
- 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 rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This adopted rulemaking sets forth the procedures to be used by the election authorities when transmitting absentee, early and grace period voter request information (requestor name, address, address to which the ballot is to be sent, township or ward number and precinct number, and ballot type) electronically to the State Board of Elections pursuant to Section 19-4 and 20-4 of the Election Code. It also sets the procedures whereby political committees may access this

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information (other than the address to which the ballot was sent) and requires the Board to keep a record of such access.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Steven S. Sandvoss
General Counsel
State Board of Elections
1020 S. Spring St.
Springfield IL 62708

217/557-9939

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

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NOTICE OF ADOPTED AMENDMENT

TITLE 26: ELECTIONS

CHAPTER I: STATE BOARD OF ELECTIONS

PART 207

MISCELLANEOUS

Section

207.10	Failure to Nominate Candidate
207.20	Notice of Primary Election – County of 500,000 Or More
207.30	Document Copying Fees
207.40	County Clerk Notifications to State Board of Elections of Certain Filings for Office
207.50	Deputy Registrars; Definition of Bonafide State Civic Organization
207.60	Chad Removal
207.70	Post Tabulation Testing
207.80	Notation of Straight Party Tickets and of Overvotes and Undervotes by Electronic Voting Systems
207.90	Reporting of Errors in Vote Tabulation Where Electronic Voting Systems Are In Use
207.100	Requirements for Operator's Log
207.110	Requirements for Voter Information Tapes
207.120	Procedures for Election Night Equipment Failure
207.130	Testing Voting Systems
207.140	Certification of Signature Imaging Systems
<u>207.150</u>	<u>Receipt and Dissemination of Absentee Voting Information</u>
207.APPENDIX A	Log for Vote Tabulation
207.APPENDIX B	VIS Format

AUTHORITY: Implementing Sections 4-8, 5-7, 6-35, 19-4 and 20-4 and authorized by Section 1A-8(9) of the Election Code [10 ILCS 5/4-8, 5-7, 6-35, 19-4, 20-4 and 1A-8(9)].

SOURCE: Adopted at 2 Ill. Reg. 25, p. 70, effective July 3, 1978; codified at 6 Ill. Reg. 7219; amended at 6 Ill. Reg. 8976, effective July 12, 1982; amended at 8 Ill. Reg. 24560, effective December 6, 1984; amended at 11 Ill. Reg. 18660, effective October 30, 1987; amended at 15 Ill. Reg. 14427, effective September 27, 1991; amended at 18 Ill. Reg. 14714, effective September 9, 1994; amended 20 Ill. Reg. 2634, effective February 10, 1997; amended at 30 Ill. Reg. 16076, effective September 30, 2006.

Section 207.150 Receipt and Dissemination of Absentee Voting Information

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- a) Sections 19-4 and 20-4 of the Election Code require the election authorities in Illinois to transmit to the State Board of Elections the name, street address, ward or township, and precinct number of every person who:
- 1) requests an absentee ballot to be voted either in person or by mail;
 - 2) voted early under the provisions of Article 19A of the Election Code; or
 - 3) voted under the provisions of grace period voting contained in Section 4-50, 5-50 or 6-100 of the Election Code.
- b) The transmission shall occur within one business day after the public posting of the information in the office of the election authority and the information shall be transmitted electronically, in a standard format prescribed by the State Board of Elections.
- c) For persons who vote at a primary election, the State Board of Elections shall request that, in addition to the information specified in subsection (a), the election authorities transmit the type of ballot requested: Democrat, Republican, other established political party, or non-partisan. For all elections in which a voter requests to vote absentee by mail, the request shall include the address to which the absentee ballot is to be sent.
- d) Except as provided in subsection (f), the State Board of Elections shall make this information available to State and local political committees registered with the Board on a secure website containing search and download capabilities. To access this information, committees shall request and obtain an account and password from the Board. One password shall be issued to the committee by the Board and it shall be valid for the committee as a whole, regardless of how many officers are serving the committee. Only the chairman or treasurer of the committee, as listed on the committee's most current D-1 Statement of Organization, will be entitled to receive a user ID and password on behalf of the committee.
- e) A committee may at any time request that its password issued by the Board be changed or voided entirely. The Board shall, after determining that the request was made by the current chairman or treasurer of the committee as described in subsection (d), change or void the password in accordance with the committee's request.

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- f) The State Board of Elections shall not make available to any person or political committee the address to which the applicant's absentee ballot is to be sent, if different from the address required by subsection (a). The retention of this information by the Board is for internal tracking purposes only.
- g) In compliance with the intent of the General Assembly in enacting Sections 19-4 and 20-4 of the Election Code, the State Board of Elections will create a computer program that will keep a record of which political committees access absentee ballot information through the use of their designated account and password, and how frequently this access is initiated by the committee.

AGENCY NOTE: This Section interprets and applies Sections 19-4 and 20-4 of the Election Code [10 ILCS 5/19-4 and 20-4].

(Source: Added at 30 Ill. Reg. 16076, effective September 30, 2006)

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT

- 1) Heading of the Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3) Section Number: 125.143 Proposed Action: Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act [225 ILCS 650]; the Federal Meat Inspection Act (21 USCA 661); the Federal Poultry Products Inspection Act (21 USCA 454); and 71 FR 43958
- 5) Statutory Authority: The Meat and Poultry Inspection Act [225 ILCS 650]
- 6) Effective Date: September 25, 2006
- 7) A Complete Description of the Subjects and Issues Involved: In order to maintain an "equal to" status with the federal meat and poultry products inspection program as required by the Federal Meat Inspection Act and the Poultry Products Inspection Act and in accordance with Section 16 of the Meat and Poultry Inspection Act, the Department is adopting amendments to the federal meat and poultry products inspection rules.

The Food Safety and Inspection Service (FSIS) is amending 9 CFR Parts 327 and 381 to bring the frequency with which foreign inspection systems are required to make supervisory visits to certified establishments into agreement with the frequency with which the Agency makes supervisory visits to domestic establishments. This final rule does not affect in-plant inspection requirements. FSIS is deleting the requirement that supervisory visits take place "not less frequently than one such visit per month." Instead, FSIS will require foreign inspection systems to make "periodic supervisory visits" to certified establishments to ensure that establishments meet FSIS requirements for certification to export meat and poultry to the United States.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed with the Index Department: September 20, 2006
- 10) A copy of the peremptory amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 11) This peremptory amendment is in compliance with Section 5-150 of the Illinois Administrative Procedure Act.

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- 12) Are there any other proposed rulemakings pending on this Part? No
- 13) Statement of Statewide Policy Objectives: This peremptory amendment does not affect units of local government.
- 14) Information and questions regarding this peremptory amendment shall be directed to:

Linda Rhodes
Department of Agriculture
State Fairgrounds, P.O. Box 19281
Springfield IL 62794-9281

Telephone: 217/785-5713
Facsimile: 217/785-4505

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

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER c: MEAT AND POULTRY INSPECTION ACTPART 125
MEAT AND POULTRY INSPECTION ACTSUBPART A: GENERAL PROVISIONS FOR BOTH
MEAT AND/OR POULTRY INSPECTION

Section	
125.10	Definitions
125.20	Incorporation by Reference of Federal Rules
125.30	Application for License; Approval
125.40	Official Number
125.50	Inspections; Suspension or Revocation of License
125.60	Administrative Hearings; Appeals (Repealed)
125.70	Assignment and Authority of Program Employees
125.80	Schedule of Operations; Overtime
125.90	Official Marks of Inspection, Devices and Certificates
125.100	Records and Reports
125.110	Exemptions
125.120	Disposal of Dead Animals and Poultry
125.130	Reportable Animal and Poultry Diseases
125.140	Detention; Seizure; Condemnation
125.141	Sanitation Standard Operating Procedures (SOP's)
125.142	Hazard Analysis and Critical Control Point (HACCP) Systems
125.143	Imported Products
125.144	Preparation and Processing Operations
125.145	Control of Listeria Monocytogenes in Ready-to-Eat Meat and Poultry Products
125.146	Consumer Protection Standards: Raw Products
125.147	Rules of Practice

SUBPART B: MEAT INSPECTION

Section	
125.150	Livestock and Meat Products Entering Official Establishments
125.160	Equine and Equine Products
125.170	Facilities for Inspection
125.180	Sanitation (Repealed)

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125.190	Ante-Mortem Inspection
125.200	Post-Mortem Inspection
125.210	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts
125.220	Humane Slaughter of Animals
125.230	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment
125.240	Rendering or Other Disposal of Carcasses and Parts Passed for Cooking
125.250	Marking Products and Their Containers
125.260	Labeling, Marking and Containers
125.270	Entry into Official Establishment; Reinspection and Preparation of Product
125.280	Meat Definitions and Standards of Identity or Composition
125.290	Transportation
125.295	Imported Products (Repealed)
125.300	Special Services Relating to Meat and Other Products
125.305	Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

Section	
125.310	Application of Inspection
125.320	Facilities for Inspection
125.330	Sanitation
125.340	Operating Procedures
125.350	Ante-Mortem Inspection
125.360	Post-Mortem Inspection; Disposition of Carcasses and Parts
125.370	Handling and Disposal of Condemned or Inedible Products at Official Establishments
125.380	Labeling and Containers
125.390	Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
125.400	Definitions and Standards of Identity or Composition
125.410	Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by the Meat and Poultry Inspection Act [225 ILCS 650] and Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; preemptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; preemptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; preemptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; preemptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; preemptory amendment at 9

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Ill. Reg. 10102, effective June 13, 1985; preemptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; preemptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; preemptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; preemptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; preemptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; preemptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; preemptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; preemptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; preemptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; preemptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; preemptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; preemptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; preemptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; preemptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; preemptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; preemptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; preemptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; preemptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; preemptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; preemptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; preemptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; preemptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; preemptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; preemptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; preemptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; preemptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; preemptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; preemptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; preemptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; preemptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; preemptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; preemptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; preemptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; preemptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; preemptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; preemptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; preemptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; preemptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; preemptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; preemptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; preemptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; preemptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; preemptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; preemptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; preemptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; preemptory amendment at 16 Ill. Reg. 11963,

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT

effective July 22, 1992; preemptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992; preemptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; preemptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; preemptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993; preemptory amendment at 17 Ill. Reg. 15725, effective September 7, 1993; preemptory amendment at 17 Ill. Reg. 16238, effective September 8, 1993; preemptory amendment at 17 Ill. Reg. 18215, effective October 5, 1993; preemptory amendment at 18 Ill. Reg. 304, effective December 23, 1993; preemptory amendment at 18 Ill. Reg. 2164, effective January 24, 1994; amended at 18 Ill. Reg. 4622, effective March 14, 1994; preemptory amendment at 18 Ill. Reg. 6442, effective April 18, 1994; preemptory amendment at 18 Ill. Reg. 8493, effective May 27, 1994; amended at 18 Ill. Reg. 11489, effective July 7, 1994; preemptory amendment at 18 Ill. Reg. 12546, effective July 29, 1994; preemptory amendment at 18 Ill. Reg. 14475, effective September 7, 1994; amended at 18 Ill. Reg. 14924, effective September 26, 1994; preemptory amendment at 18 Ill. Reg. 15452, effective September 27, 1994; preemptory amendment at 19 Ill. Reg. 1342, effective January 27, 1995; preemptory amendment at 19 Ill. Reg. 4765, effective March 13, 1995; preemptory amendment at 19 Ill. Reg. 7067, effective May 8, 1995; preemptory amendment at 19 Ill. Reg. 14896, effective October 6, 1995; preemptory amendment at 19 Ill. Reg. 15766, effective November 10, 1995; preemptory amendment at 19 Ill. Reg. 16866, effective December 22, 1995; preemptory amendment at 20 Ill. Reg. 5091, effective March 19, 1996; preemptory amendment at 20 Ill. Reg. 10403, effective July 17, 1996; amended at 20 Ill. Reg. 11928, effective September 1, 1996; preemptory amendment at 20 Ill. Reg. 12634, effective September 5, 1996; preemptory amendment at 20 Ill. Reg. 15371, effective November 13, 1996; preemptory amendment at 21 Ill. Reg. 1221, effective January 14, 1997; preemptory amendment at 21 Ill. Reg. 1719, effective January 28, 1997; preemptory amendment at 21 Ill. Reg. 6609, effective May 20, 1997; amended at 21 Ill. Reg. 11494, effective August 1, 1997; preemptory amendment at 21 Ill. Reg. 11788, effective August 8, 1997; preemptory amendment at 21 Ill. Reg. 12686, effective August 28, 1997; preemptory amendment at 21 Ill. Reg. 14575, effective October 22, 1997; preemptory amendment at 22 Ill. Reg. 3602, effective February 2, 1998; preemptory amendment at 22 Ill. Reg. 5740, effective March 5, 1998; preemptory amendment at 22 Ill. Reg. 9384, effective May 15, 1998; preemptory amendment at 22 Ill. Reg. 20645, effective November 16, 1998; amended at 23 Ill. Reg. 450, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 3851, effective March 11, 1999; preemptory amendment at 23 Ill. Reg. 10880, effective August 19, 1999; preemptory amendment at 24 Ill. Reg. 3933, effective February 22, 2000; preemptory amendment at 24 Ill. Reg. 5699, effective March 14, 2000; preemptory amendment at 24 Ill. Reg. 6734, effective April 14, 2000; amended at 24 Ill. Reg. 7197, effective April 27, 2000; preemptory amendment at 24 Ill. Reg. 14074, effective August 30, 2000; preemptory amendment at 24 Ill. Reg. 14451, effective September 15, 2000; preemptory amendment at 25 Ill. Reg. 7341, effective April 26, 2001; preemptory amendment at 25 Ill. Reg. 12434, effective September 13, 2001; preemptory amendment at 25 Ill. Reg. 15444, effective November 19, 2001; preemptory amendment at 26 Ill. Reg. 980, effective January 11, 2002; preemptory amendment at 26 Ill. Reg. 7750, effective May 10, 2002;

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT

amended at 27 Ill. Reg. 10205, effective July 1, 2003; preemptory amendment at 27 Ill. Reg. 13634, effective July 28, 2003; emergency amendment at 27 Ill. Reg. 14197, effective August 15, 2003, for a maximum of 150 days; emergency expired January 11, 2004; preemptory amendment at 27 Ill. Reg. 15172, effective September 15, 2003; preemptory amendment at 27 Ill. Reg. 17281, effective November 1, 2003; preemptory amendment at 27 Ill. Reg. 18270, effective November 14, 2003; amended at 28 Ill. Reg. 2131, effective February 1, 2004; preemptory amendment at 28 Ill. Reg. 3513, effective February 6, 2004; preemptory amendment at 28 Ill. Reg. 11934, effective August 5, 2004; preemptory amendment at 28 Ill. Reg. 15694, effective November 30, 2004; preemptory amendment at 28 Ill. Reg. 16368, effective December 6, 2004; preemptory amendment at 29 Ill. Reg. 2479, effective February 1, 2005; amended at 29 Ill. Reg. 5661, effective April 13, 2005; preemptory amendment at 29 Ill. Reg. 15645, effective October 7, 2005; amended at 29 Ill. Reg. 18432, effective October 28, 2005; preemptory amendment at 29 Ill. Reg. 20580, effective November 29, 2005; preemptory amendment at 29 Ill. Reg. 21058, effective December 21, 2005; preemptory amendment at 30 Ill. Reg. 2400, effective February 6, 2006; preemptory amendment at 30 Ill. Reg. 16081, effective September 25, 2006.

SUBPART A: GENERAL PROVISIONS FOR BOTH
MEAT AND/OR POULTRY INSPECTION

Section 125.143 Imported Products

The Department incorporates by reference 9 CFR 327.2, 327.7, and 381.196 (2004; 70 FR 57725, effective November 3, 2005; 70 FR 70033, effective December 21, 2005; [71 FR 43958, effective September 5, 2006](#)).

(Source: Amended by preemptory rulemaking at 30 Ill. Reg. 16081, effective September 25, 2006)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
OCTOBER AGENDA

JOINT COMMITTEE ON ADMINISTRATIVE RULES

SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
OCTOBER 10, 2006

NOTICES: The scheduled date and time for the JCAR meeting are subject to change. Due to *Register* submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting and items from the list can be postponed to future meetings.

If members of the public wish to express their views with respect to a rulemaking, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

*Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706
Email: jcar@ilga.gov
Phone: 217/785-2254*

RULEMAKINGS CURRENTLY BEFORE JCAR

PROPOSED RULEMAKINGS

Aging

1. Community Care Program (89 Ill. Adm. Code 240)
 - First Notice Published: 30 Ill. Reg. 11474 – 7/7/06
 - Expiration of Second Notice: 10/25/06

Agriculture

2. Anhydrous Ammonia Security Grant Program (8 Ill. Adm. Code 217)
 - First Notice Published: 30 Ill. Reg. 12057 – 7/14/06
 - Expiration of Second Notice: 11/2/06

JOINT COMMITTEE ON ADMINISTRATIVE RULES
OCTOBER AGENDA

Attorney General

3. Illinois Estate and Generation-Skipping Transfer Tax Act (86 Ill. Adm. Code 2000)
-First Notice Published: 30 Ill. Reg. 1550 – 2/10/06
-Expiration of Second Notice: 10/14/06

Central Management Services

4. Merit and Fitness (80 Ill. Adm. Code 302)
-First Notice Published: 30 Ill. Reg. 12064 – 6/14/06
-Expiration of Second Notice: 11/8/06

Elections

5. The Campaign Financing Act (26 Ill. Adm. Code 100)
-First Notice Published: 30 Ill. Reg. 11494 – 7/7/06
-Expiration of Second Notice: 10/27/06

Financial and Professional Regulation

6. Illinois Dental Practice Act (68 Ill. Adm. Code 1220)
-First Notice Published: 30 Ill. Reg. 12633 – 7/28/06
-Expiration of Second Notice: 11/1/06

Housing Development Authority

7. Rental Housing Support Program (47 Ill. Adm. Code 380)
-First Notice Published: 30 Ill. Reg. 6264 – 4/14/06
-Expiration of Second Notice: 10/12/06

Public Health

8. Penny Severns Breast and Cervical Cancer Research Fund Rules (77 Ill. Adm. Code 970)
-First Notice Published: 30 Ill. Reg. 12523 – 7/21/06
-Expiration of Second Notice: 11/2/06

Secretary of State

9. Regulations Under Illinois Securities Law of 1953 (14 Ill. Adm. Code 130)
-First Notice Published: 30 Ill. Reg. 12729 – 7/28/06

JOINT COMMITTEE ON ADMINISTRATIVE RULES
OCTOBER AGENDA

-Expiration of Second Notice: 10/27/06

State Board of Investments

10. Rules and Regulations of the Board (74 Ill. Adm. Code 800)
-First Notice Published: 30 Ill. Reg. 8050 – 5/5/06
-Expiration of Second Notice: 10/19/06

Teachers' Retirement System

11. The Administration and Operation of the Teachers' Retirement System (80 Ill. Adm. Code 1650)
-First Notice Published: 30 Ill. Reg. 12731 – 7/28/06
-Expiration of Second Notice: 11/1/06

Transportation

12. Tourism Attraction Signing Program (92 Ill. Adm. Code 543)
-First Notice Published: 30 Ill. Reg. 12068 – 7/14/06
-Expiration of Second Notice: 10/19/06
13. Engine Braking Signs (92 Ill. Adm. Code 547)
-First Notice Published: 30 Ill. Reg. 12089 – 7/14/06
-Expiration of Second Notice: 10/19/06

EMERGENCY RULEMAKINGS

Commerce and Economic Opportunity

14. Employer Training Investment Program (56 Ill. Adm. Code 2650) (Emergency)
-Notice Published: 30 Ill. Reg. 14593 – 9/8/06
15. Illinois Renewable Fuels Development Program (32 Ill. Adm. Code 130) (Emergency)
-Notice Published: 30 Ill. Reg. 15025 – 9/15/06

Healthcare and Family Services

16. Medical Assistance Programs (89 Ill. Adm. Code 120) (Emergency)
-Notice Published: 30 Ill. Reg. 15029 – 9/15/06
17. Veterans Health Insurance Program (89 Ill. Adm. Code 128) (Emergency)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
OCTOBER AGENDA

-Notice Published: 30 Ill. Reg. 15044 – 9/15/06

PEREMPTORY RULEMAKINGS

Central Management Services

18. Pay Plan (80 Ill. Adm. Code 310) (Peremptory)
-Notice Published: 30 Ill. Reg. 15059 – 9/15/06

Human Services

19. WIC Vendor Management Code (77 Ill. Adm. Code 672) (Peremptory)
-Notice Published: 30 Ill. Reg. 14602 – 9/8/06

AGENCY RESPONSES

Carnival and Amusement Safety Board

20. Carnival and Amusement Ride Safety Act (56 Ill. Adm. Code 6000; 29 Ill. Reg. 20119)

Education

21. Early Childhood Block Grant (23 Ill. Adm. Code 235; 30 Ill. Reg. 11793) (Emergency)
22. School Food Service (23 Ill. Adm. Code 305; 30 Ill. Reg. 86)

Healthcare and Family Services

23. Special Eligibility Groups (89 Ill. Adm. Code 118; 30 Ill. Reg. 10129) (Emergency)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of September 19, 2006 through September 25, 2006 and have been scheduled for review by the Committee at its October 10, 2006 meeting in Chicago. 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>
11/2/06	<u>Department of Agriculture</u> , Anhydrous Ammonia Security Grant Program (8 Ill. Adm. Code 217)	7/14/06 30 Ill. Reg. 12057	10/10/06
11/2/06	<u>Department of Public Health</u> , Penny Severns Breast and Cervical Cancer Research Fund Rules (77 Ill. Adm. Code 970)	7/21/06 30 Ill. Reg. 12523	10/10/06
11/8/06	<u>Department of Central Management Services</u> , Merit and Fitness (80 Ill. Adm. Code 302)	7/14/06 30 Ill. Reg. 12064	10/10/06

DEPARTMENT OF LABOR

NOTICE OF PUBLIC INFORMATION

CONTRACTOR PROHIBITED FROM AN AWARD
OF A CONTRACT OR SUBCONTRACT
FOR PUBLIC WORKS PROJECTS

Pursuant to the findings in Re: Monahan's Landscape Co., Inc., A/K/A Monahan's Construction Co. IDOL File No.(s) 2006-PW-WJ08-0062, 2004-PW-WJ10-0973, 2003-PW-WJ06-0242, the Director of the Department of Labor gives notice that [Monahan's Landscape Co., Inc. A/K/A Monahan's Construction Co.], its member(s), officer(s), manager(s), agent(s), and all persons acting in Monahan Landscape Co., Inc. A/K/A Monahan's Construction Co. interest and/or on Monahan's Landscape Co., Inc.'s A/K/A Monahan's Construction Co.'s behalf, and any business entity, including, but not limited to, any firm, corporation, partnership or association in which Monahan's Landscape Co., Inc., A/K/A Monahan's Construction Co. its member(s), officer(s), manager(s), agent(s), and all other persons acting in Monahan's Landscape Co., Inc.'s A/K/A Monahan's Construction Co.'s interest and/or on Monahan's Landscape Co., Inc.'s A/K/A Monahan's Construction Co.'s behalf have an interest, pecuniary or otherwise, is (are) prohibited from being awarded any contract or subcontract for a public works project covered by the Prevailing Wage Act, 820 ILCS 130/0.01-12 (2001), commencing September 18, 2006 and continuing through September 17, 2008.

Copies of the Prevailing Wage Act are available on the internet at <http://www.legis.state.il.us/ilcs/ch820/ch820act130.htm>, and at the:

Illinois Department of Labor
Conciliation and Mediation Division
One West Old State Capital Plaza, Room 300
Springfield, Illinois 62701-1217

PROCLAMATIONS

2006-322**COMMUNITY AND ECONOMIC DEVELOPMENT ASSOCIATION OF COOK COUNTY (CEDA) DAY**

WHEREAS, Community and Economic Development Association of Cook County, Inc. (CEDA) is a direct response to address the causes and conditions of poverty in suburban Cook County given impetus by the passage of the Economic Opportunity Act of 1964 by the U.S. Congress; and

WHEREAS, the organizational structure, mission, and purpose of CEDA qualified to be officially recognized and designated under the federal statute as a Community Action Agency; and

WHEREAS, organized exclusively for charitable purposes, CEDA is a non-profit corporation and a not-for-profit community development agency serving the Cook County area that consists of over 732 square miles; and

WHEREAS, CEDA designs and delivers locally-based programs that build self-reliance, and works in partnership with business and government; and

WHEREAS, also, CEDA offers education, advocacy, direct services, and proudly participates in the efforts of local residents to change conditions that adversely affect their communities; and

WHEREAS, CEDA provides social services to meet basic human needs, and are advocates for an adequate supply of low and moderate-cost housing, increased job opportunities, and the development of economic resources; and

WHEREAS, this year, CEDA marks the 40th anniversary of their creation:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 26, 2006 as **COMMUNITY AND ECONOMIC DEVELOPMENT ASSOCIATION OF COOK COUNTY (CEDA) DAY** in Illinois, and encourage all citizens to join in the challenge of promoting and supporting economic development.

Issued by the Governor on September 20, 2006.

Filed by the Secretary of State September 20, 2006.

2006-323**DOWN SYNDROME AWARENESS MONTH**

PROCLAMATIONS

WHEREAS, approximately one in every 733 children are born with Down syndrome, representing approximately 5,000 births per year in the United States; and

WHEREAS, while research and early intervention have resulted in dramatic improvements in the lifespan and potential of those who are affected, more investigation is needed into the causes and treatment of Down syndrome; and

WHEREAS, people with Down syndrome possess a wide range of abilities, and are active participants in educational, occupational, social, and recreational circles of the community; and

WHEREAS, developed by the National Down Syndrome Society in 1995, the Buddy Walk is an annual event in cities across Illinois and the nation celebrating the accomplishments of children and adults with Down syndrome; and

WHEREAS, DS Support has supported families who have children with disabilities, and special healthcare needs for 6 years in Illinois and desires to increase the support network and support groups of those with Down syndrome across our state; and

WHEREAS, the goal of the Buddy Walk is to promote increased understanding and acceptance of people with Down syndrome, while raising funds for scientific research into the causes and treatment:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as **DOWN SYNDROME AWARENESS MONTH** in Illinois, and encourage all citizens to work together to promote awareness of Down syndrome and to celebrate the accomplishments of these individuals and their families.

Issued by the Governor on September 20, 2006.

Filed by the Secretary of State September 20, 2006.

2006-324**SUDDEN INFANT DEATH SYNDROME AWARENESS MONTH**

WHEREAS, Sudden Infant Death Syndrome (SIDS) is the leading cause of death for infants between 30 days and one-year-old. Approximately 2,500 infants die from SIDS every year; and

WHEREAS, SIDS is the unexpected death of an infant under the age of one that remains unexplained after a complete examination is performed, including an autopsy, death scene examination, and review of clinical history; and

PROCLAMATIONS

WHEREAS, most victims of SIDS are younger than 6 months. Furthermore, Native-American infants are at the greatest risk, while African-American infants are the second greatest at-risk group; and

WHEREAS, although there is no scientific explanation for SIDS, many scientists agree that it is triggered when infants sleep on their stomachs; and

WHEREAS, for that reason, the Back to Sleep campaign was launched in 1994 to encourage laying infants to be placed on their backs; and

WHEREAS, according to the National Institutes of Health, the death rate of SIDS has declined more than 40 percent since the inception of this campaign. However, SIDS is still the leading cause of death among young infants between 30 days and one-year-old:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as **SUDDEN INFANT DEATH SYNDROME AWARENESS MONTH** in Illinois to raise awareness about Sudden Infant Death Syndrome, and to encourage risk-reducing precautions so that no parent will have to endure the tragedy of their child dying of SIDS.

Issued by the Governor on September 20, 2006.

Filed by the Secretary of State September 20, 2006.

2006-325**PREMATURITY AWARENESS MONTH**

WHEREAS, from birth to one-year-old, prematurity is the leading cause of death among babies in the United States; and those that do survive are susceptible to lifelong disabilities such as chronic lung disease, blindness, and cerebral palsy. Prematurity also costs families and communities billions of dollars every year in care and treatment; and

WHEREAS, sadly, the number of premature births has risen approximately 27 percent nationally over the last two decades. Today, nearly 500,000 babies are prematurely born in the United State every year; and

WHEREAS, of them, there are more than 23,300, or about one out of eight premature births in the State of Illinois. Clearly, prematurity is a significant and alarming problem; and

PROCLAMATIONS

WHEREAS, in response, the March of Dimes is leading a national campaign to save babies from premature birth by funding research to find the causes and by aiding local programs that provide assistance to families with babies that are prematurely born; and

WHEREAS, this November, the March of Dimes will coordinate activities throughout the country with help from many local healthcare professionals and government agencies and departments to call attention to premature birth and to offer hope to families affected by it:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 2006 as **PREMATURITY AWARENESS MONTH** in Illinois in support of the worthy efforts by the March of Dimes to prevent and raise awareness of this problem that plagues so many babies, families, and communities.

Issued by the Governor on September 20, 2006.

Filed by the Secretary of State September 20, 2006.

2006-326**EARTH SCIENCE WEEK**

WHEREAS, the earth sciences, especially geology, are integral to finding, developing, and conserving the water, mineral, and energy resources needed for modern society; and

WHEREAS, the earth sciences provide the basis for preparing for and mitigating the effects of natural hazards such as floods, landslides, earthquakes, volcanic eruptions, sinkholes, and coastal erosion; and

WHEREAS, the earth sciences are crucial to our understanding of environmental and ecological issues ranging from air and water quality to waste disposal; and

WHEREAS, knowledge about geological factors regarding earth resources, hazards, and the environment are vital to land management and land use decisions at local, state, regional, national, international, and global levels; and

WHEREAS, study of the earth sciences contributes critically important information to our understanding of the natural world; and

WHEREAS, Earth Science Week is an opportunity to seek a greater understanding and appreciation of the value of Earth Science research and its application and

PROCLAMATIONS

relevance to our daily lives, as well as for science teachers at all levels throughout the State of Illinois to undertake lessons and activities with their students directed toward the study of Earth Science:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 8 – 14, 2006 as EARTH SCIENCE WEEK in Illinois.

Issued by the Governor on September 20, 2006.

Filed by the Secretary of State September 20, 2006.

2006-327

GEORGE AND LORRAINE SHADID DAY

WHEREAS, George P. Shadid was born in Clinton, Iowa on May 15, 1929; and

WHEREAS, Lorraine K. Unes was born in Peoria, Illinois on April 30, 1931; and

WHEREAS, on May 30, 1953, George and Lorraine married and together they had two children: Jim and George, Jr.; and

WHEREAS, George P. Shadid has served notably in many roles; he was sworn in as a police officer in the Peoria City Police Department in 1953; was promoted to Sergeant in 1966, and to the rank of Lieutenant in 1969; in 1974, Shadid was placed on the City of Peoria Captain eligibility list; and

WHEREAS, in 1976, George P. Shadid was elected to the office of Peoria County Sheriff, a 2-year term, completing that of a deceased Sheriff, and was re-elected to consecutive 4-year terms in 1978, 1982, 1986 and 1990; and

WHEREAS, George P. Shadid was appointed Illinois State Senator of the 46th District on May 13, 1993, filling a vacancy; he was elected to serve a 2-year term in 1994, re-elected to a 2-year term in 1996, a 4-year term in 1998, and a 4-year term in 2002; and

WHEREAS, throughout these many years of service, Lorraine has been a devoted and supportive wife and mother of their two children; and

WHEREAS, George and Lorraine Shadid have earned the respect and admiration of this state for their devotion to the community and to their family and friends. They are indeed deserving of this special honor:

PROCLAMATIONS

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 3, 2006 as **GEORGE AND LORRAINE SHADID DAY** in Illinois, and encourage all citizens to pay tribute to George and Lorraine Shadid for their many contributions to the State of Illinois and its citizens.

Issued by the Governor on September 21, 2006.
Filed by the Secretary of State September 21, 2006.

2006-328**DYSLEXIA AWARENESS MONTH**

WHEREAS, millions of Americans throughout the country, including the State of Illinois, have dyslexia, which is a language-based neurological disorder that affects their ability to read, write, and spell proficiently; and

WHEREAS, dyslexia occurs among all groups regardless of age, ethnicity, race, socio-economic background, and sex. Furthermore, the disorder is not related to one's level of intelligence or desire to learn; and

WHEREAS, although the degree of dyslexia varies from person to person, both children and adults can overcome the disorder with proper diagnosis and treatment. Today, many dedicated professionals work in homes and schools to help those with dyslexia; and

WHEREAS, the International Dyslexia Association is also dedicated to helping those with dyslexia. They and their state branches, including the Illinois Branch, promote literacy through research, education, and advocacy; and

WHEREAS, last year, state branches of the International Dyslexia Association offered more than 50 free and successful events about dyslexia to educators, parents, and the public during Dyslexia Awareness Month, which they plan to repeat again this October:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as **DYSLEXIA AWARENESS MONTH** in support of the campaign by the International Dyslexia Association and their state branches to raise awareness about this disorder and to help those afflicted with it.

Issued by the Governor on September 21, 2006.
Filed by the Secretary of State September 21, 2006.

2006-329

PROCLAMATIONS

BREAST CANCER AWARENESS MONTH AND MAMMOGRAPHY DAY

WHEREAS, October 2006 marks the 22nd year of the National Breast Cancer Awareness Month campaign to educate women about breast cancer, especially concerning early detection through mammography; and

WHEREAS, in 2006, approximately 8,350 of the 212,920 women in the United States diagnosed with breast cancer will be Illinois residents; and

WHEREAS, breast cancer is the most common cancer in women and is second only to lung cancer as the leading cause of cancer death; and

WHEREAS, mammography screenings are a woman's best chance for detecting breast cancer early and, when coupled with new treatment options, can significantly improve a woman's chances of survival; and

WHEREAS, expansion of the Illinois Breast and Cervical Cancer Program (IBCCP), which took effect Sept. 1, 2006, will allow 3,000 additional women to be screened and 400 additional women to be treated this year through the Healthcare Benefits for Persons with Breast or Cervical Cancer Act; and

WHEREAS, since 1993, the United States has recognized the third Friday in October as National Mammography Day:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as **BREAST CANCER AWARENESS MONTH** and October 20, 2006 as **MAMMOGRAPHY DAY** in Illinois, and encourage all citizens to join me in the continued fight against breast cancer.

Issued by the Governor on September 21, 2006.

Filed by the Secretary of State September 21, 2006.

2006-330**DICK TRACY DAY**

WHEREAS, in 1931, Chester Gould sold the "Dick Tracy" comic strip to the New York Daily News Syndicate, after submitting strips for a decade. The first Sunday strip ran on October 4th, and the first daily strip a week later; and

WHEREAS, since that time, Dick Tracy, set right here in Chicago, Illinois, has reached success as a cartoon strip, radio show, novel, film serial, comic book, animated series, and

PROCLAMATIONS

as 5 feature films, while also serving as a tip-guide for readers to prevent crimes in their neighborhoods; and

WHEREAS, in his cutting-edge comic strip, Gould delivered a no-nonsense police detective who was ready, willing and able to take on the bad guys. Although his innovative crime-fighting techniques and futuristic gadgetry, including the famous two-way wrist radio, were groundbreaking, Dick Tracy's true appeal was found in his stalwart integrity and uncompromising valor. The variety of villains that Dick Tracy battled was also a key part to the strip's timeless appeal, such as the vicious assassin, Flattop, to the traitorous Pruneface, and the sly and cunning spy known as "The Brow"; and

WHEREAS, in 1977, Chester Gould retired, and Max Allan Collins took over as writer on Dick Tracy, joined by artist Rick Fletcher, Gould's assistant. Sadly, in 1983, Rick Fletcher passed away, and the Dick Tracy creator, Chester Gould, two years later in 1985. With Max Collins continuing as writer, Richard "Dick" Locher assumed the artist role with the responsibility of illustrating Dick Tracy in 1983, the same year he was awarded the Pulitzer Prize. Michael Kilian, veteran Chicago Tribune reporter/columnist and suspense novelist, served as the strip writer from 1993 to 2005, and when he passed away Dick Locher, who lives in Chicago, Illinois and has worked for the Chicago Tribune since 1973, took over as both writer and artist; and

WHEREAS, the Chester Gould-Dick Tracy Museum opened in 1991 in Woodstock, Illinois, which was the long-time home of creator Chester Gould; and

WHEREAS, in 1959 and 1977, the Dick Tracy strip won the Reuben award from the National Cartoonists Society; and

WHEREAS, this year, Dick Tracy became the spokescharacter for the Illinois State Tourism Board, Dick Locher was honored by the National Cartoonists Society with the Silver T-Square award for lifetime achievement, and Dick Tracy celebrates his 75th anniversary since the first strip ran on October 4, 1931. To celebrate, the Tribune Media Services will be hosting a Dick Tracy 75th anniversary Kick-off celebration on October 2, 2006 in Campbell Hall at Tribune Tower:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 4, 2006 as **DICK TRACY DAY** in Illinois in recognition of an enduring and memorable comic strip.

Issued by the Governor on September 21, 2006.

Filed by the Secretary of State September 21, 2006.

PROCLAMATIONS

2006-331**INTERNATIONAL HISPANIC/LATINO MENTAL HEALTH WEEK**

WHEREAS, in 1992, the International Hispanic/Latino Mental Health Week Campaign was created in response to the lack of resources and information available for Spanish-speaking residents suffering from mental health problems and substance abuse. Latinos are identified as a high-risk group for depression, anxiety, and substance abuse; and

WHEREAS, the campaign features workshops and lectures for community residents and professionals, free mental health screenings, and informational brochures and videos about behavioral health issues; and

WHEREAS, the Latino Family Institute, in collaboration with the Illinois Department of Human Services, Chicago Public Schools/Office of Specialized Services, community providers, and community residents, donate time, space, and services to make the campaign a success; and

WHEREAS, the campaign strives to increase awareness, knowledge, and skills on mental health and substance abuse treatment needs of Hispanic/Latinos, to increase access to bicultural and bilingual treatment since existing studies about language skills of mental health professionals found there are few Spanish-speaking and Latino providers, and to increase the competence in the treatment of Hispanic/Latinos through lectures and workshops; and

WHEREAS, the 2006 International Hispanic/Latino Mental Health Week Campaign will begin October 1st and conclude on October 7th, 2006.

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 1-7, 2006 as **INTERNATIONAL HISPANIC/LATINO MENTAL HEALTH WEEK** in Illinois, and encourage all citizens to unite to improve the quality of life for people in Illinois suffering from mental health problems and substance abuse.

Issued by the Governor on September 21, 2006.

Filed by the Secretary of State September 21, 2006.

2006-332**4-H WEEK**

PROCLAMATIONS

WHEREAS, in the late 1890's and early 1900's, 4-H programs began to form across the United States to provide the youth of our country with a strong agricultural education; and

WHEREAS, throughout the years, the overall objectives of 4-H have remained the same: the development of youth as individuals and as responsible and productive citizens; and

WHEREAS, the 4-H program makes an effort to complement the formal education, experiences, and skills that young people have already acquired through their homes, schools, and religious organizations, with action-oriented and practical educational experiences; and

WHEREAS, more than 25,000 caring, nurturing adults work together with 4-H youth in family and community environments to create real life learning laboratories that help youth practice skills they need today, and will continue to use in the future; and

WHEREAS, today, 4-H is the largest youth organization in the State of Illinois, challenging nearly 300,000 Illinois youth and adults with unique "hands on" learning each year:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 1-7, 2006 as **4-H WEEK** in Illinois, and urge the citizens of Illinois to salute the rich traditions of Illinois 4-H club work, and the outstanding accomplishments of Illinois 4-H members and leaders.

Issued by the Governor on September 22, 2006.

Filed by the Secretary of State September 22, 2006.

2006-333**SONOGRAPHER AWARENESS MONTH**

WHEREAS, sonographers are a critical part of the medical community, performing vital work each day to benefit patients and medical professionals; and

WHEREAS, the first use of ultrasound as a diagnostic tool was in 1942 during a study of brain tissue. Today, sonographers use ultrasound technology to collect images of internal organs and fetuses for the purpose of diagnosing a variety of diseases and conditions; and

WHEREAS, sonography was officially declared a healthcare profession in 1973, and in 1975, it became mandatory for all sonographers to be certified in their profession; and

PROCLAMATIONS

WHEREAS, there are over 45,000 certified sonographers in the United States, 1,800 of which work in the state of Illinois; and

WHEREAS, Illinois continues to be a purveyor of advances in ultrasound technology. With these advances, the healthcare industry will continue to make great strides in the diagnosing and treating of patients:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 2006 as **SONOGRAPHER AWARENESS MONTH** in Illinois, and encourage all citizens to recognize the important role that these healthcare professionals play in the world of patient care.

Issued by the Governor on September 22, 2006.

Filed by the Secretary of State September 22, 2006.

2006-334**WEEK OF THE CLASSROOM TEACHER**

WHEREAS, the education of our children is critical to their future success. For that reason, teaching is one of the most important professions; and

WHEREAS, throughout Illinois, we entrust the care of our children to thousands of classroom teachers who work with parents and administrators to ensure that each child learns the skills they need to succeed; and

WHEREAS, that is not easy when there are many distractions. In addition to contending with personal and family problems that have always accompanied children, classroom teachers now have to compete with technology such as cell phones, computers, and television; and

WHEREAS, indeed, it is more difficult to engage children in the classroom today than ever. Consequently, teachers must work harder than ever to educate children; and

WHEREAS, in acknowledgment and recognition of their outstanding service, the Association for Childhood Education International annually designates a week in honor of classroom teachers; and

WHEREAS, this year, the Week of the Classroom Teacher will begin October 1:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 1-7, 2006 as **WEEK OF THE CLASSROOM TEACHER** in Illinois,

PROCLAMATIONS

and join the Association for Childhood Education International in honoring and thanking classroom teachers for their commitment and dedication to teaching our children.

Issued by the Governor on September 22, 2006.

Filed by the Secretary of State September 22, 2006.

2006-335**CHICAGO INTERNATIONAL CHILDREN'S FILM FESTIVAL DAYS**

WHEREAS, 2006 marks the 23rd annual Chicago International Children's Film Festival (CICFF); and

WHEREAS, CICFF is a project of Facets Multi-Media, a nonprofit organization dedicated to the exhibition and distribution of foreign, independent, and classic films; and

WHEREAS, Facets Muti-Media has received support for CICFF and other children's programs from over 50 corporations and businesses, national and international organizations, and print and broadcast media; and

WHEREAS, although they only receive about 700 entries, CICFF operates a dynamic market for domestic and foreign buyers, distributors, and festival programmers, as well as representatives from over 20 international media organizations; and

WHEREAS, additionally, CICFF is the only children's film festival to be named by the Academy of Motion Picture Arts and Sciences as an Academy Qualifying Festival; and

WHEREAS, this year, CICFF will be held from October 19 to October 29, and more than 24,000 Chicago children, adults, and educators are expected to attend the screenings, in addition to more than 150 celebrities and filmmakers from around the world:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 19 - October 29, 2006 as **CHICAGO INTERNATIONAL CHILDREN'S FILM FESTIVAL DAYS** in Illinois in celebration of the Chicago International Children's Film Festival, which has become an annual tradition anticipated by citizens from all around the state.

Issued by the Governor on September 22, 2006.

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ILLINOIS ADMINISTRATIVE CODE

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