

TABLE OF CONTENTS

May 17, 2013 Volume 37, Issue 20

PROPOSED RULES

AGRICULTURE, DEPARTMENT OF
Motor Fuel and Petroleum Standards Act
8 Ill. Adm. Code 850.....6413

HUMAN SERVICES, DEPARTMENT OF
Early Intervention Program
89 Ill. Adm. Code 500.....6417

NATURAL RESOURCES, DEPARTMENT OF
White-Tailed Deer Hunting By Use of Firearms
17 Ill. Adm. Code 650.....6532
White-Tailed Deer Hunting By Use of Muzzleloading Rifles
17 Ill. Adm. Code 660.....6556
White-Tailed Deer Hunting By Use of Bow and Arrow
17 Ill. Adm. Code 670.....6568
Special White-Tailed Deer Season for Disease Control
17 Ill. Adm. Code 675.....6599
Late-Winter Deer Hunting Season
17 Ill. Adm. Code 680.....6606
Construction and Maintenance of Dams
17 Ill. Adm. Code 3702.....6614

SECRETARY OF STATE
Issuance of Licenses
92 Ill. Adm. Code 1030.....6630

ADOPTED RULES

EDUCATION, STATE BOARD OF
Driver Education
23 Ill. Adm. Code 252.....6639

NATURAL RESOURCES, DEPARTMENT OF
Public Use of State Parks and Other Properties of the Department
of Natural Resources
17 Ill. Adm. Code 110.....6652
Sport Fishing Regulations for the Waters of Illinois
17 Ill. Adm. Code 810.....6658
The Taking of Reptiles and Amphibians Under a Sport Fishing
License
17 Ill. Adm. Code 880.....6757
Boat and Snowmobile Registration and Safety
17 Ill. Adm. Code 2010.....6762
Selling and Consignment of Licenses, Stamps and Permits
17 Ill. Adm. Code 2520.....6766
Procedure for Conducting Examinations of Persons Seeking

Certificates of Competency	
62 Ill. Adm. Code 230.....	6772
Surface Mined Land Conservation and Reclamation Act	
62 Ill. Adm. Code 300.....	6779
PUBLIC HEALTH, DEPARTMENT OF	
Laboratory Service Fees	
77 Ill. Adm. Code 475.....	6784
TRANSPORTATION, DEPARTMENT OF	
Minimum Safety Standards for Construction of Multifunction	
School Activity Buses	
92 Ill. Adm. Code 435.....	6791
Inspection Procedures for Multifunction School Activity Buses	
92 Ill. Adm. Code 436.....	6823
PEREMPTORY RULES	
AGRICULTURE, DEPARTMENT OF	
Meat and Poultry Inspection Act	
8 Ill. Adm. Code 125.....	6870
SECOND NOTICES RECEIVED	
JOINT COMMITTEE ON ADMINISTRATIVE RULES	
Second Notices Received.....	6878
NOTICE OF AGENCY RESPONSE TO THE OBJECTION OF THE	
JOINT COMMITTEE ON ADMINISTRATIVE RULES	
HEALTHCARE AND FAMILY SERVICES, DEPARTMENT OF	
Medical Payment	
89 Ill. Adm. Code 140.....	6879
Hospital Reimbursement Changes	
89 Ill. Adm. Code 152.....	6880
NOTICE OF AGENCY RESPONSE TO A RECOMMENDATION OF THE	
JOINT COMMITTEE ON ADMINISTRATIVE RULES	
PUBLIC HEALTH, DEPARTMENT OF	
AIDS Drug Assistance Program	
77 Ill. Adm. Code 692.....	6881
NOTICE OF PUBLIC INFORMATION	
ENVIRONMENTAL PROTECTION AGENCY	
Listing of Derived Water Quality Criteria.....	6882
REVENUE, DEPARTMENT OF	
2013 First Quarter Sales & Miscellaneous Tax Sunshine Index.....	6895
EXECUTIVE ORDERS AND PROCLAMATIONS	
PROCLAMATIONS	
Gubernatorial Proclamation 5	
2013-165.....	6901
89 WLS Chicago Day	
2013-166.....	6901
Yom HaShoah Day of Remembrance	
2013-167.....	6902

Financial Literacy Month	
2013-168.....	6903
Illinois Flag Display Act – Anne Smedinghoff	
2013-169.....	6904
Foster Parent Appreciation Month	
2013-170.....	6905
Illinois Flag Display Act – Lance Stone	
2013-171.....	6906
Nursing Home Week	
2013-172.....	6907
Organ Donation Awareness Day	
2013-173.....	6907
Your Actions Matter Day	
2013-174.....	6908
American Legion and American Legion Auxiliary	
Poppy Days	
2013-175.....	6909
Children's Mental Health Awareness Day	
2013-176.....	6910
Great Outdoors Month	
2013-177.....	6911
Better Hearing and Speech Month	
2013-178.....	6912
National Hepatitis Awareness Day	
2013-179.....	6913
Pizza Day	
2013-180.....	6914
Small Business and Entrepreneur Week	
2013-181.....	6915
Bicycle Month	
2013-182.....	6916
National Nurses Day and Week	
2013-183.....	6917
Illinois Flag Display Act – Kevin Sanders	
2013-184.....	6918
South African Freedom Day	
2013-185.....	6919
Childhood Drowning Prevention Month	
2013-186.....	6919
Public Service Recognition Week	
2013-187.....	6921
Apraxia Awareness day	
2013-188.....	6922
Locomotive Engineers and Trainmen Day	
2013-189.....	6922

National Salvation Army Week	
2013-190.....	6924
Women's Health Day In Illinois	
2013-191.....	6925
Senior Corps Week	
2013-192.....	6926

INTRODUCTION

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

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

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

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

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2013

Issue#	Rules Due Date	Date of Issue
1	December 26, 2012	January 4, 2013
2	December 31, 2012	January 11, 2013
3	January 7, 2013	January 18, 2013
4	January 14, 2013	January 25, 2013
5	January 22, 2013	February 1, 2013
6	January 28, 2013	February 8, 2013
7	February 4, 2013	February 15, 2013
8	February 11, 2013	February 22, 2013
9	February 19, 2013	March 1, 2013
10	February 25, 2013	March 8, 2013
11	March 4, 2013	March 15, 2013
12	March 11, 2013	March 22, 2013
13	March 18, 2013	March 29, 2013
14	March 25, 2013	April 5, 2013
15	April 1, 2013	April 12, 2013
16	April 8, 2013	April 19, 2013
17	April 15, 2013	April 26, 2013
18	April 22, 2013	May 3, 2013
19	April 29, 2013	May 10, 2013
20	May 6, 2013	May 17, 2013

21	May 13, 2013	May 24, 2013
22	May 20, 2013	May 31, 2013
23	May 28, 2013	June 7, 2013
24	June 3, 2013	June 14, 2013
25	June 10, 2013	June 21, 2013
26	June 17, 2013	June 28, 2013
27	June 24, 2013	July 5, 2013
28	July 1, 2013	July 12, 2013
29	July 8, 2013	July 19, 2013
30	July 15, 2013	July 26, 2013
31	July 22, 2013	August 2, 2013
32	July 29, 2013	August 9, 2013
33	August 5, 2013	August 16, 2013
34	August 12, 2013	August 23, 2013
35	August 19, 2013	August 30, 2013
36	August 26, 2013	September 6, 2013
37	September 3, 2013	September 13, 2013
38	September 9, 2013	September 20, 2013
39	September 16, 2013	September 27, 2013
40	September 23, 2013	October 4, 2013
41	September 30, 2013	October 11, 2013
42	October 7, 2013	October 18, 2013
43	October 15, 2013	October 25, 2013
44	October 21, 2013	November 1, 2013
45	October 28, 2013	November 8, 2013
46	November 4, 2013	November 15, 2013
47	November 12, 2013	November 22, 2013
48	November 18, 2013	December 2, 2013
49	November 25, 2013	December 6, 2013
50	December 2, 2013	December 13, 2013
51	December 9, 2013	December 20, 2013
52	December 16, 2013	December 27, 2013

Editor's Note: The Secretary of State Index Department is providing this opportunity to remind you that the next filing period for your Regulatory Agenda will occur from May 1st through **Monday, July 1st, 2013.**

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Motor Fuel and Petroleum Standards Act
- 2) Code Citation: 8 Ill. Adm. Code 850
- 3) Section Number: 850.60 Proposed Action:
Amendment
- 4) Statutory Authority: Motor Fuel and Petroleum Standards Act [815 ILCS 370]
- 5) A Complete Description of the Subjects and Issues Involved: Section 850.60 currently delays enforcement of the American Society for Testing and Materials (ASTM) gasoline specification for gasoline-oxygenate blends sold or offered for sale in Illinois. Although some ASTM specifications have not been established, the National Institute of Standards and Technology (NIST) Handbook 130 addresses many of these issues. In addition, since Section 850.60 currently references an outdated version and section of the NIST Handbook 130, Section 850.60 is being amended so that the quality of gasoline-oxygenate blends sold or offered for sale in this State will be consistent with the changes set forth in the 2013 edition of the NIST Handbook 130.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking 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 does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: A 45-day written comment period will begin on the day the Notice of Proposed Amendment appears in the *Illinois Register*. Please mail written comments on the proposed rulemaking to the attention of:

Linda Rhodes

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENT

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

217/524-9050
217/785-4505 (fax)

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory agenda on which this rulemaking was summarized: This amendment was not included in either of the two most recent agendas because it was not anticipated at the time the agendas were published.

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

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENT

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER s: MOTOR FUELSPART 850
MOTOR FUEL AND PETROLEUM STANDARDS ACT

Section

850.10	Written Complaint Required
850.20	Access to Motor Fuels and Records
850.30	Responsibility for Standards of Quality
850.40	Administrative, Laboratory and Sampling Fees
850.50	Label on Motor Fuel Dispensing Device
850.60	ASTM Standards

AUTHORITY: Implementing and authorized by the Motor Fuel and Petroleum Standards Act [815 ILCS 370].

SOURCE: Emergency rules adopted at 8 Ill. Reg. 1455, effective January 12, 1984; adopted at 8 Ill. Reg. 5993, effective April 23, 1984; amended at 9 Ill. Reg. 12711, effective August 6, 1985; amended at 14 Ill. Reg. 5072, effective March 26, 1990; emergency amendment at 28 Ill. Reg. 16352, effective December 1, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1886, effective January 24, 2005; amended at 29 Ill. Reg. 5372, effective April 1, 2005; emergency amendment at 34 Ill. Reg. 301, effective December 21, 2009, for a maximum of 150 days; amended at 34 Ill. Reg. 6050, effective April 19, 2010; emergency amendment at 34 Ill. Reg. 10532, effective July 8, 2010, for a maximum of 150 days; amended at 34 Ill. Reg. 19468, effective December 3, 2010; emergency amendment at 35 Ill. Reg. 5615, effective March 17, 2011, for a maximum of 150 days; amended at 35 Ill. Reg. 11241, effective July 1, 2011; emergency amendment at 36 Ill. Reg. 7330, effective May 1, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 14685, effective September 24, 2012; amended at 37 Ill. Reg. _____, effective _____.

Section 850.60 ASTM Standards

- a) *The standards set forth in the Annual Book of (ASTM) American Society for Testing and Materials Section 5, Volumes 05.01, 05.02, 05.03, 05.04 and 05.05 and supplements thereto, and revisions thereof are adopted unless modified or rejected by a regulation adopted by the Department. [815 ILCS 370/4]*

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENT

- b) The effective date for the lubricity requirement contained in Table 1 (Detailed Requirements for Diesel Fuel Oils) of D 975-04b is extended until October 1, 2005.
- c) ~~The Effective January 1, 2010, the~~ quality of gasoline-oxygenate blends sold or offered for sale in this State shall meet the standards set forth in Section ~~2.12.1.3~~ of the Uniform Engine Fuels, Petroleum Products, and Automotive Lubricants Regulations as provided under the National Institute of Standards and Technology Handbook 130 (~~20132011~~ edition, and any of its subsequent supplements or revisions, NIST Weights and Measures Division, 100 Bureau Drive, Stop 2600, Gaithersburg MD 20899-2600, <http://www.nist.gov/pml/wmd/pubs/hb130-13.cfm>~~http://www.nist.gov/pml/wmd/pubs/hb130-11.cfm~~). ~~The previous standards set forth in Sections 2.1.1.1 and 2.1.1.2 are specifically rejected and replaced by Section 2.1.3. The Department will delay enforcement of the standards in Section 2.1.3 until May 1, 2013.~~

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Early Intervention Program
- 2) Code Citation: 89 Ill. Adm. Code 500
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
500.10	Amend
500.20	Amend
500.25	Amend
500.30	Amend
500.45	Amend
500.50	Amend
500.55	Amend
500.60	Amend
500.65	Amend
500.70	Amend
500.75	Amend
500.80	Amend
500.85	Amend
500.90	Amend
500.100	Amend
500.105	Amend
500.115	Amend
500.125	Amend
500.130	Amend
500.135	Amend
500.140	Amend
500.145	Amend
500.150	Amend
500.155	Amend
500.160	Amend
500.165	Amend
500.170	Amend
500.APPENDIX C	Amend
- 4) Statutory Authority: Implementing and authorized by the Early Intervention Services System Act [325 ILCS 20] and Part C of the Individuals with Disabilities Education Act (IDEA) (20 USC 1400 et seq., as amended in 1997)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 5) A Complete Description of the Subjects and Issues involved: This rulemaking is necessary to comply with the provisions of 34 CFR 303. Changes have also been made to clean-up the rule and to establish designated continuing professional educational requirements for credentialed providers and more flexible degree requirements for developmental therapists.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when composing 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 rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

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

217/785-9772

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Early Intervention Service Providers

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 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 2012

The full text of the Proposed Amendments begin on the next page.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER e: EARLY CHILDHOOD SERVICESPART 500
EARLY INTERVENTION PROGRAM

SUBPART A: GENERAL PROVISIONS

Section

500.10	Purpose
500.15	Incorporation by Reference
500.20	Definitions

SUBPART B: COMPONENTS OF THE STATEWIDE SYSTEM

Section

500.25	Public Awareness and Child Find
500.30	Central Directory
500.35	Local Interagency Councils
500.40	Illinois Interagency Council on Early Intervention
500.45	Regional Intake Entities
500.50	Eligibility
500.55	Early Intervention Services/Devices
500.60	Provider Qualifications/Credentialing and Enrollment
500.65	Monitoring

SUBPART C: SERVICE DELIVERY REQUIREMENTS

Section

500.70	Intake
500.75	Eligibility Determination
500.80	Individualized Family Service Plan Development
500.85	Individualized Family Service Plan Implementation
500.90	Individualized Family Service Plan Updating
500.95	Case Transfer
500.100	Transition to Part B or Other Appropriate Services at Age Three
500.105	Case Closure
500.110	Recordkeeping
500.115	Service Provider Requirements

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

SUBPART D: FINANCIAL MATTERS

Section

- 500.120 Billing Procedures
- 500.125 Payor of Last Resort
- 500.130 Family Fee/Insurance

SUBPART E: PROCEDURAL SAFEGUARDS/CLIENT RIGHTS

Section

- 500.135 Minimum Procedural Safeguards
 - 500.140 ~~Request for a Due Process Hearing~~
~~Administrative Resolution of Complaints By Parents~~
 - 500.145 Mediation
 - 500.150 Confidentiality/Privacy
 - 500.155 Right to Consent
 - 500.160 Surrogate Parents
 - 500.165 Written Prior Notice
 - 500.170 State Complaint Procedure
-
- 500.APPENDIX A Sliding Fee Schedule
 - 500.APPENDIX B Assessment Instruments (Repealed)
 - 500.APPENDIX C Requirements for Professional and Associate Level Early Intervention (EI) Credentialing and Enrollment to Bill
 - 500.APPENDIX D Use of Associate Level Providers
 - 500.APPENDIX E Medical Conditions Resulting in High Probability of Developmental Delay (not an exclusive list)

AUTHORITY: Implementing and authorized by the Early Intervention Services System Act [325 ILCS 20] and Part C of the Individuals with Disabilities Education Act (IDEA) (20 USC 1400 et seq., as amended in 1997).

SOURCE: Adopted at 25 Ill. Reg. 8190, effective July 1, 2001; amended at 27 Ill. Reg. 2611, effective February 7, 2003; amended at 27 Ill. Reg. 13438, effective July 24, 2003; amended at 28 Ill. Reg. 8727, effective June 1, 2004; amended at 29 Ill. Reg. 2254, effective January 31, 2005; amended at 32 Ill. Reg. 2161, effective January 23, 2008; amended at 33 Ill. Reg. 8206, effective June 8, 2009; amended at 37 Ill. Reg. _____, effective _____.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

SUBPART A: GENERAL PROVISIONS

Section 500.10 Purpose

The requirements contained in this Part are to define implementation of the Early Intervention Services System Act [325 ILCS 20] (hereafter "Act"), and Part C of the Individuals with Disabilities Education Act (IDEA) (20 USC 1400 et seq., as amended in ~~2004~~1997). The requirements describe the statewide early intervention (EI) service program for children, birth to 36 months old, who have disabilities due to developmental delay, have an eligible mental or physical condition that typically results in developmental delay, or ~~are have been determined through informed clinical judgment to be~~ at risk of substantial developmental delay according to informed clinical judgments set forth in this Part.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.20 Definitions

"Act" means the Early Intervention Services System Act [325 ILCS 20].

"Assessment" means the ongoing procedures used by qualified personnel to identify the child's unique strengths and needs and the early intervention services appropriate to meet those needs throughout the period of the child's eligibility and includes the assessment of the child and the child's family. An initial assessment refers to the assessment of the child and family conducted prior to the child's first Individualized Family Service Plan (IFSP) meeting.

"Child" means children under 36 months of age.

"Child find" means an activity that identifies potentially eligible infants and toddlers.

"Complaining party" means, for purposes of Section 500.140, the persons or entities alleging a violation of Part C regulations.

"Council" or "IICEI" means the Illinois Interagency Council on Early Intervention established under Section 4 of the Early Intervention Services System Act.

"Credential" means an official documentation from the Department's credentialing office that an individual has met pertinent licensing, degree, and certification

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

requirements as set forth in Appendix C, as well as the applicable education, experience, continuing professional education, and ongoing professional development requirements as set forth in Section 500.60.

"Day", for purposes of this Part, means calendar day.

"Department" or "DHS" means the Illinois Department of Human Services.

"Destruction" means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

"EI" means early intervention.

"Early intervention services" or "EI services" means services that:

are designed to meet the developmental needs of an infant or toddler with a disability and the needs of the family to assist appropriately in the infant's or toddler's development, based on scientifically-based research to the extent practicable and as identified by the IFSP team, in the areas of development listed in this definition~~each child eligible under the Act and the needs of his or her family;~~

are related to enhancing the child's development;

are selected in collaboration with the child's family;

are provided under public supervision;

are provided at no cost except where a schedule of sliding scale fees or other system of payments by families has been adopted in accordance with State and federal law;

are designed to meet an infant's or toddler's developmental needs in any of the following areas:

cognitive development;

physical development, including vision and hearing;

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~language, speech and~~ communication development;

social ~~or~~ emotional development; or

adaptive ~~self-help skills~~ development;

meet the standards of this Part, including the requirements of the Act;

include one or more of the services set forth in Section 500.55;

are provided by qualified personnel, as set forth in Section 500.60;

are provided in conformity with an ~~IFSP Individualized Family Service Plan~~;

are provided throughout the year; and

are provided to the maximum extent appropriate in natural environments, including ~~settings that are natural or typical for a same-age infant or toddler without a disability and may include home or community settings, the home and community settings that are natural or normal for the child's age peers who have no disability.~~

"Early Intervention Services System" or "System" means the system of service delivery described in this Part that implements Part C of IDEA in Illinois and the Illinois Early Intervention Services System Act.

"Eligible children" or "eligible child" means infants and toddlers under 36 months of age with any of the following conditions:

Developmental delay;

A physical or mental condition that ~~has a high probability of resulting typically results~~ in a developmental delay; or

At risk of having substantial developmental delays, according to informed clinical ~~opinion judgment~~.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

"Developmental delay" means a Department determined eligible level of delay (30% and above) in one or more of the following areas of childhood development: cognitive; physical; ~~communication, including vision and hearing; language, speech and communication~~; social ~~or~~ -emotional; or adaptive ~~self-help skills~~, as measured by Department approved diagnostic instruments and standard procedures or as confirmed through informed clinical ~~opinion~~ judgment of qualified staff based upon multidisciplinary evaluation and assessment if the child is unable to be appropriately and accurately tested by the standardized measures available.

"Physical or mental condition that ~~has a high probability of resulting typically results~~ in a developmental delay" means a medical diagnosis (see Appendix E) approved by the Department as an eligible condition or confirmed by a qualified family physician, pediatrician or pediatric sub-specialist as being a condition with a relatively well known expectancy for developmental outcomes within varying ranges of developmental disabilities. Pediatric subspecialists included are those such as pediatric neurologists, geneticists, pediatric orthopedic surgeons and pediatricians with special interest in disabilities.

"At risk of substantial developmental delay, according to informed clinical ~~opinion~~ judgment" means that there is consensus of qualified staff based upon multidisciplinary evaluation and assessment that development of a Department determined eligible level of delay is probable if early intervention services are not provided, because a child is experiencing either:

a parent who has been medically diagnosed as having a severe disorder as set forth under axis I and axis II of the Diagnostic and Statistical Manual IV (DSM IV) (1994; American Psychiatric Association, 1400 K Street, NW, Washington, D.C. 20005) or a developmental disability;
or

three or more of the following risk factors:

current alcohol or substance abuse by the primary caregiver;

primary caregiver who is currently less than 15 years of age;

current homelessness of the child;

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

chronic illness of the primary caregiver;

alcohol or substance abuse by the mother during pregnancy with the child;

primary caregiver with a level of education equal to or less than the 10th grade, unless that level is appropriate to the primary caregiver's age;

an indicated case of abuse or neglect regarding the child and the child has not been removed from the abuse or neglect circumstances.

Services for children determined to be "at risk" shall not be funded under Federal Part C funding, nor subject to its requirements, ~~unless Part C funding for "at risk" services is requested by the lead agency.~~

"Enroll" means to enter into a Service Provider Agreement that establishes duties, expectations and relationships between the Department and the individual or agency provider that provides early intervention services to eligible children and their families. A provider must be enrolled to bill and receive payment for services from the Early Intervention Program.

~~"Evaluation/Assessment" or "Evaluation" means the initial and ongoing procedures used by appropriate qualified staff to determine:~~

~~a child's eligibility under this Part in accordance with the definition of "eligible infants and toddlers";~~

~~the child's status in each of the developmental areas set forth in "early intervention services";~~

~~the child's unique strengths and needs;~~

~~the services appropriate to meet those needs;~~

~~the resources, priorities, and concerns of the family; and~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~the supports and services necessary to enhance the family's capacity to meet the developmental needs of its infant or toddler with a disability.~~

"Evaluation" means the procedures used by qualified personnel to determine a child's initial and continuing eligibility under this Part consistent with the definition of "eligible children" or "eligible child". Initial evaluation refers to the child's evaluation to determine his or her initial eligibility under this Part.

"FERPA" means Family Educational Rights and Privacy Act (20 USC 1232(g)) and the regulations promulgated under that Act (34 CFR 99).

"HIPAA" means the Health Insurance Portability and Accountability Act (42 USC 1320(d) et seq.) and the regulations promulgated thereunder at 45 CFR 160, 162 and 164 (Transaction, Privacy and Security).

"IDEA" means the Individuals with Disabilities Education Act (20 USC 1400 et seq., as amended in 2004).

"Individualized Family Service Plan" or "Plan" or "IFSP" means a written plan for providing early intervention services to an eligible child and the child's family, as set forth in Subpart C.

"Individualized Family Service Plan Team", sometimes referred to as the "multidisciplinary team" or "IFSP Team", means a group of people concerned with the developmental needs of the child, including the child's parent/guardian or parents; other family members, as requested by the parent, if feasible to do so; an advocate or person outside of the family, if the parent requests that person to participate; the Service Coordinator; a person or persons directly involved in conducting the child's evaluations and assessments; and, as appropriate, persons who will be providing EI services to the child or family. The multidisciplinary team/IFSP team determines appropriate EI services by consensus as set forth in this Part.

"Infant" or "Toddler" means any child under 36 months of age.

"Informed clinical judgment" means both clinical observations and parental participation to determine eligibility by a consensus of a multidisciplinary team of 2 or more members based on their professional experience and expertise.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

"Informed clinical opinion" means the way in which qualified personnel utilize their cumulative knowledge and experience in evaluating and assessing a child and in interpreting the results of evaluation and assessment instruments.

"Lead agency" means the State agency, as designated by the Governor and the Act, responsible for administering the Act and this Part in accordance with federal laws and rules. The Illinois Department of Human Services has been so designated.

"Local Education Agency" or "LEA" means a public board of education or other public authority legally constituted within a state for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district or other political subdivision of a state, or for a combination of school districts or counties as are recognized in a state as an administrative agency for its public elementary or secondary schools.

"Local interagency agreement" means an agreement entered into by local community and State and regional agencies receiving early intervention funds directly from the State and made in accordance with State interagency agreements providing for the delivery of early intervention services within a local community area.

"Local interagency council" or "LIC" means a local advisory body established for each designated geographic intake region as set forth in Section 6 of the Early Intervention Services System Act.

"Local service area" means a local interagency council region.

"Multidisciplinary team", sometimes referred to as the "IFSP team", means a group of people concerned with the developmental needs of the child, including the child's parent/guardian or parents; other family members, as requested by the parent, if feasible to do so; an advocate or person outside of the family, if the parent requests that person to participate; the Service Coordinator; and service coordinator or a person or persons directly involved in conducting the child's evaluations and assessments; and, as appropriate, persons who will be providing EI services to the child or family. The multidisciplinary team/IFSP team determines and members from pertinent disciplines involved in the provision of integrated and coordinated services, including evaluation and assessment

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~activities, who determine~~ appropriate EI services by consensus as set forth in this Part.

"Native language", when used with respect to an individual who is limited English proficient, means the language normally used by that individual, or in the case of a child, the language normally used by the parents of the child. For evaluations and assessments of a child, native language means the language normally used by the child, if determined developmentally appropriate for the child by qualified personnel conducting the evaluation or assessment. Unless clearly not feasible to do so, family assessments must be conducted in the native language of the family members being assessed. Native language, when used with respect to an individual who is deaf or hard of hearing, blind or visually impaired, or for an individual with no written language, means the mode of communication that is normally used by the individual (such as sign language, Braille, or oral communication).

"Natural environment" means settings that are natural or typical for a same-aged infant or toddler without a disability and may include home or community settings.~~home and community settings that are natural or normal for the child's age peers who have no disability.~~

"Parent liaison" means an individual who holds an EI Parent Liaison credential and draws from his/her knowledge and personal experience to bring support to families as they learn about the EI Program.

"Parents" means, except as provided in 34 CFR 303.27(b)(1) and (2), a biological or adoptive parent of a child; a foster parent; a guardian generally authorized to act as the parent, or authorized to make early intervention, educational, health or developmental decisions for the child (but not the State if the child is a ward of the State); an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; and a surrogate parent who has been appointed in accordance with Section 500.160.~~a parent, a guardian, a person acting as a parent of a child or a surrogate parent appointed as set forth in this Part.~~

"Part B" means Part B of the Individuals with Disabilities Education Act ~~(20 USC 1400 et seq.)~~ (IDEA) governing "Assistance for Education of All Children with Disabilities".

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

"Part C" means Part C of IDEA ~~(20 USC 1400 et seq.)~~ governing "Infants and Toddlers with Disabilities".

"Participating agency" means any individual, agency, entity or institution that collects, maintains or uses Personally Identifiable Information (PII) to implement the requirements of this Part.

"Parties" means the persons or entities alleging a violation of Part C regulations and the persons or entities against whom the allegations are made. For Section 500.140, Parties include both the Complaining Party, who is the person or entity alleging a violation of Part C regulations, and the Responding Party, who is the person or entity against whom a Part C regulation allegation is made.

"Personally Identifiable Information" or "PII" means the information governed by FERPA regulations at 34 CFR 99.3.

"Plan" means a written plan for providing EI services to an eligible child and the child's family, as set forth in Subpart C.

"Protected health information" means the health information governed by the HIPAA Privacy and Security regulations at 45 CFR 164.501.

"Qualified personnel" means personnel who have met State approved or recognized certification, licensing, registration or other comparable requirements that apply to the areas in which the individuals are conducting evaluations or assessments or providing EI services.

"Records" means all records regarding a child that are required to be collected, maintained or used under Part C of the Individuals with Disabilities Education Act (20 USC 1400 et seq.) and 34 CFR 303.

"Regional intake entity" means the Department's designated entity responsible for implementation of the Early Intervention Services System within its designated geographic area as set forth in Section 500.45.

"Responding Party" means, for Section 500.140, the persons or entities against whom a Part C regulation allegation is made.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

"Service Coordinator" means an individual who holds an EI Service Coordination credential and assists and enables eligible infants and toddlers and their families to receive the services and rights, including procedural safeguards, provided through the EI Program.

"Service Provider Agreement" means the binding written agreement that establishes the duties, expectations and relationship between the Department and the provider of service pursuant to the Illinois Early Intervention Services System Act [325 ILCS 20], Part C of the Individuals with Disabilities Education Act (IDEA) (20 USC 1431 et seq.), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Family Educational Rights and Privacy Act Regulations (FERPA) (20 USC 1232(g)), and this Part EI administrative rules.

"Transition" is the process of transferring eligible children receiving early intervention services under this Part out of such services to Part B services or to other appropriate developmental or educational services.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

SUBPART B: COMPONENTS OF THE STATEWIDE SYSTEM

Section 500.25 Public Awareness and Child Find

- a) The Department shall provide ongoing and continuous public awareness efforts focused on the early identification of eligible children throughout the State.
- 1) The Department shall prepare information on the availability of EI services under this Part.
 - 2) With the assistance of the regional intake entities and local interagency councils, the Department will disseminate to all primary referral sources (especially hospitals and physicians) the information to be given to parents of infants and toddlers, especially parents with premature infants or infants with other physical risk factors associated with learning or developmental complication. The information to be provided shall include:
Public awareness information will include:
 - A) 1) description of the availability of EI services under this Part;
the purpose and scope of the System;

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- ~~B)2) description of the child find system and how to refer a child under the age of three for an evaluation or EI services; and how to make referrals;~~
- ~~3) how to gain access to a comprehensive multidisciplinary evaluation and other early intervention services; and~~
- ~~C)4) information about the Central Directory (see Section 500.30).~~
- 3) The Department may make direct mailings to primary referral sources as defined in this Part, distribute pamphlets and posters at pertinent locations and use media releases and campaigns to the public and professional organizations as necessary to create awareness, in addition to the activities set forth in this Part.
- 4) Primary referral sources are required ~~by 34 CFR 303.321(d)(2)(ii)~~ to make referrals to the EI System as soon as possible, but in no case more than seven calendar days~~two working days~~ after a potentially eligible child is identified. Primary referral sources, as listed in subsection (b), with assistance of the regional intake entities and local interagency councils, will disseminate information on the availability of EI services under this Part to parents of infants and toddlers, especially parents with premature infants or infants with other physical risk factors associated with learning or developmental complication.
- b) The regional intake entity as set forth in Section 500.45 serves as the central intake for each eligible child within its geographical area. By use of the Central Directory~~central directory~~ as set forth in Section 500.30, primary referral sources can identify and contact the appropriate regional entity. Primary referral sources include:
- 1) hospitals, including ~~prenatal~~perinatal and post-natal care facilities;
 - 2) physicians;
 - 3) parents, including parents of infants and toddlers;
 - 4) child care programs and early learning programs;

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 5) local educational agencies and schools;
 - 6) public health facilities;
 - 7) other public health and social services agencies; ~~and~~
 - 8) other clinics and health care providers;-
 - 9) Public agencies and staff in the child welfare system, including child protective service and foster care;
 - 10) Homeless family shelters; and
 - 11) Domestic violence shelters and agencies.
- c) The local interagency council shall be responsible for coordination, design and implementation of child find and public awareness activities for their geographic region. Such efforts shall take into consideration the region's cultural, communication, geographical and socio-economic make-up.
- d) The regional intake entity and the local interagency council shall assure that activities are coordinated with comprehensive local and statewide efforts and shall provide information to the Department as requested and required in order for the Department to monitor the effectiveness of the efforts and determine possible gaps in public awareness and child find. If gaps are determined, the regional intake entity and the local interagency council shall increase efforts as required.
- e) Local interagency councils shall assist in:
- 1) Development of collaborative agreements between local service providers, diagnostic and other agencies providing additional services to the child and family and agreements related to transition and integration of eligible children and families into the community;
 - 2) Local needs assessment, planning and evaluation efforts;
 - 3) Identification and resolution of local access issues;

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 4) Provider recruitment; and
 - 5) Development of an annual report to the Council regarding child find and public awareness.
- f) The Department has entered into interagency agreement with the Illinois State Board of Education (ISBE) regarding coordinating ISBE's responsibility under Part B of IDEA to conduct child find of 0-21 year olds with the Department responsibility under Part C. Local education agencies (LEAs) are responsible to ISBE for carrying out specific obligations regarding child find.
- 1) LEAs shall:
 - A) conduct public awareness activities targeting families and other primary referral sources;
 - B) conduct screenings (by developmental checklists) to actively seek out infants and toddlers with disabilities or delays, report to the Department on these screenings and maintain procedures to assure compliance with the ~~five-day~~~~two-day~~ referral time frame (schedules of screening dates and locations will be provided to the regional intake entity, other providers and the local advisory body);
 - C) work closely with their regional intake entity to assure evaluations of identified children; and
 - D) participate actively in their local advisory body (and as a member participate in coordination of public awareness and child find).
 - 2) ISBE will:
 - A) provide technical assistance to LEAs to carry out screening and identification;
 - B) monitor to assure that services are available in each LEA jurisdiction; ~~and~~
 - C) if notified by the Department that an LEA is not providing appropriate public awareness and child find, contact the LEA to

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

assure the establishment of appropriate awareness, screening and identification (and report effort and screening dates back to the Department).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.30 Central Directory

- a) The State is required by Section 632(7) of IDEA ~~(20 USC 1432(7))~~ and 34 CFR 303.117 ~~and rules promulgated under that Section~~ to maintain a Central Directory that is accessible to the general public (i.e., through the lead agency's website and other appropriate means) and includes accurate, up-to-date information about: (e.g., location of regional intake entities and/or toll free numbers) on the Early Intervention Services System.
- 1) Public and private EI services, resources and experts available in the State;
 - 2) Professional and other groups (including parent support, and training and information centers) that provide assistance to infants and toddlers with disabilities eligible under Part C of IDEA and their families;
 - 3) Research and demonstration projects being conducted in the State relating to infants and toddlers with disabilities; and
 - 4) Access to the information needed to identify and contact the appropriate regional intake entity.
- b) ~~The data shall be made available in each geographic region of the State in a manner so as to ensure accessibility by persons with disabilities. Families may obtain information from a toll free Department help line (1-800-843-6154 voice and 1-800-447-6404 TTY).~~
- b)e) Public and private Eearly intervention service providers, resources, experts, professionals and other groups providing assistance to eligible children and their families shall provide information as required (e.g., location of regional intake entities and/or toll free numbers) to the Department in order to maintain the Central Directory.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 500.45 Regional Intake Entities

The Department will assure the designation of regional intake points as necessary to accomplish consistent System intake and service coordination throughout the State. The regional entity shall be the contracted entity responsible for implementation of the ~~EI~~**Early Intervention** Services System within its designated geographic area. The regional entity shall:

- a) Participate in public awareness and child find activities by disseminating information to primary referral sources and working with local interagency councils.
- b) Provide adequate accessible and secure space/facilities to store permanent ~~EI~~**early intervention** records and to house staff.
- c) Select, train, and supervise qualified staff to carry out the following tasks within the System specified time frames:
 - 1) Receive referrals.
 - 2) Provide service coordination as defined in Section 500.55(1).
 - ~~3)~~ Develop, maintain and process the permanent ~~EI~~**early intervention** case record in accordance with policies set forth by the Department.
 - ~~4)3)~~ Provide information about the ~~EI~~**Early Intervention** Services System, including rights and procedural safeguards and available advocacy services, to families and initiate intake with parental consent.
 - ~~4)~~ ~~Coordinate EI and non-EI services for enrolled families.~~
 - ~~5)~~ ~~Ensure that eligibility is determined according to the Department's early intervention eligibility criteria.~~
 - ~~5)6)~~ Comply with family fee and public and private insurance policies and procedures as set by the Department.
 - ~~7)~~ ~~Develop the initial IFSP with the family, within 45 days after referral, consistent with requirements in this Part and federal regulations.~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- ~~8)~~ Monitor that the integrity of the IFSP process is maintained and completed through accurate, timely and complete implementation of the services as mutually determined and agreed to by the IFSP Team, and consented to in writing by the child's parent/guardian.
- ~~6)9)~~ Monitor that the Part C funds are the "payor of last resort" to the extent allowed by law. This includes assistance in accessing resource supports, including but not limited to the Division of Specialized Care for Children (Title V) and, with the parent's or guardian's informed consent, Medicaid (Title XIX), the State Child Health Insurance Program (Title XXI), the Division of Specialized Care for Children (Title V) and private insurance.
- ~~10)~~ Assist the family in monitoring IFSP implementation and obtain updated documentation from service providers listed on the IFSP in accordance with this Part, communicating regularly with the family using a variety of face-to-face, telephone, written correspondence, and other methods, including team meetings, to ensure that the family is well informed and an active participant in the implementation of the IFSP.
- ~~11)~~ Assure that IFSPs are reviewed at least every six months and updated annually.
- ~~12)~~ Assure that transition planning, case transfer and case closure occur consistent with the requirements of this Part.
- ~~7)13)~~ Be knowledgeable of and comply with all applicable federal and State laws, guidelines, procedures, rules, regulations, and executive orders applicable to its activities, including, but not limited to:
- A) The Individuals with Disabilities Education Act ~~(20 USC 1400 et seq.)~~. The United States Department of Education regulations for the EIearly intervention program for Infants and Toddlers with Disabilities (34 CFR 303) and the Illinois EIEarly Intervention Services System Act [325 ILCS 20].
- B) The federal Family Education Rights and Privacy Act (FERPA) (20 USC 1232g, 1232h) and the United States Department of Education implementing regulations (34 CFR 99) and; the Illinois

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

School Student Records Act [105 ILCS 10].

- C) The Americans ~~With~~with Disabilities Act (42 USC 12131-12134).
- D) The Health Insurance Portability and Accountability Act (~~42 USC 1320 et seq.~~, and the regulations promulgated under that Act~~thereunder at~~ (45 CFR 160, 162 and 164) regarding transactions, privacy and security).
- d) Maintain a directory of non-EI financial resources and support services for use with families.
- e) Assist families in accessing non-EI financial resources and support services by making appropriate referrals while the child is enrolled with the EI~~Early Intervention~~ Services System and at transition. Children found ineligible should be offered referrals for non-EI community resources prior to case closure.
- f) Maintain administrative and programmatic contact with all EI service providers in the service area.
- g) Participate in routine monitoring and technical assistance activities as required by the Department, including on-site monitoring, data collection and reporting obligations, record reviews, financial audits, complaint investigations, and consumer satisfaction surveys.
- h) Enroll as an "All Kids agent" in order to complete the All Kids application as authorized under Section 22 of the Children's Health Insurance Program Act.
- i) Facilitate IFSP team discussions for every child to determine his/her status relative to each of the federal Office of Special Education Program's (OSEP) identified child outcomes and document the rating in the statewide data system.
~~Distribute materials to families as part of a process to measure family outcomes.~~

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.50 Eligibility

- a) An Illinois child under the age of 36 months of age and his or her family are eligible for services set forth in this Part if the child:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) is experiencing a Department determined eligible level of developmental delay; or
 - 2) is experiencing a medically diagnosed physical or mental condition that typically results in developmental delay; or
 - 3) is, according to informed clinical judgment of qualified staff based upon a multidisciplinary evaluation and assessment, at risk of substantial developmental delay.
- b) Eligibility must be determined, with parental consent, by consensus of qualified staff based upon multidisciplinary evaluation and assessment, using one or more of the following criteria:
- 1) The child is experiencing a Department determined eligible level of developmental delay by consensus of qualified staff based upon a timely, comprehensive, multidisciplinary evaluation of the child using one ~~One~~ or more standardized evaluations or criterion referenced measures approved by the Department. A provider may request Department approval of a developmental test by submitting, in writing, documentation that the test meets the following criteria: is listed in the Mental Measurement Yearbook Series (Burros Center for Testing, University of Nebraska-Lincoln, 21 Teachers College Hall, Lincoln NE 68588-0348 (2005, no later editions or amendments included)); is nationally distributed; is formally validated; is age appropriate; and is individually administered. The Mental Measurement Yearbook Series can be found at the Early Childhood Intervention Clearinghouse, many local libraries and via the Internet. ~~If a child is unable to be appropriately and accurately tested by the standardized measures available, informed clinical judgment of the qualified staff based upon multidisciplinary evaluation and assessment may be used to document the level of delay. Activities to determine clinical judgment shall include observation and parent report and shall be described in the written report documenting the informed clinical judgment of qualified staff that the child is experiencing delay at a level determined by the Department to be eligible;~~
 - A) Qualified personnel must use informed clinical opinion when conducting an evaluation and assessment of the child. Informed

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

clinical opinion may be used as an independent basis to establish a child's eligibility under this Part even when other instruments do not establish eligibility; however, in no event may informed clinical opinion be used to negate the results of evaluation instruments used to establish eligibility. Activities to determine clinical opinion shall include observation and parent report and shall be described in the written report documenting the informed clinical opinion of qualified staff that the child is experiencing delay at a level determined by the Department to be eligible.

B) In conducting an evaluation, procedures must include administering an evaluation instrument; taking the child's history (including interviewing the parent); identifying the child's level of functioning in each of the areas of development; gathering information from other sources such as family members, other caregivers, medical providers, social workers and educators, if necessary, to understand the full scope of the child's unique strengths and needs; and reviewing medical, educational and other records.

2) The child is experiencing a medically diagnosed physical or mental condition that typically results in a developmental delay.~~Specific medical diagnosis~~ as determined by the Department and listed in Appendix E. If a child exhibits a medical condition not approved by the Department as being an eligible condition, written verification by a qualified pediatrician or pediatric sub-specialist (pediatric neurologist, geneticist, pediatric orthopedic surgeon, pediatrician with special interest in disabilities) that the child's medical condition typically results in substantial developmental delay within the varying ranges of developmental disabilities may be used; or

3) The child is at risk of substantial developmental delay~~Written verification of the consensus that~~, based on informed clinical judgment. Development; development of substantial developmental delay is probable if Early intervention services are not provided to the child who is experiencing risk factors as defined in Section 500.20. Risk factors that the child is experiencing must be identified.~~This report must also identify which risk factors the child is experiencing.~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- c) A child's medical and other records may be used to establish eligibility (without conducting an evaluation of the child) if those records indicate that the child's level of functioning in one or more of the developmental areas constitutes a delay at a level determined by the Department to be eligible or that the child otherwise meets the criteria for an infant or toddler with a disability under subsection (a). If the child's Part C eligibility is established under this Section, the evaluators must conduct assessments of the child and family in accordance with subsection (d).
- d) If the child is determined eligible, with parental consent, a multidisciplinary assessment of the unique strengths and needs of the infant or toddler and the identification of services appropriate to meet those needs must occur. This assessment must include a review of the results of the evaluation, personal observations of the child, and identification of the child's needs in each of the developmental areas. Unless the child's eligibility is established as defined in subsection (c), this assessment is conducted with the evaluation.
- e) With parental consent, a family-directed assessment of the resources, priorities and concerns of the family and the identification of the supports and services necessary to enhance the family's capacity to meet the developmental needs of that infant or toddler must be conducted by the Service Coordinator.
- f) Qualified personnel must use informed clinical opinion when conducting an evaluation and assessment of the child. All evaluations and assessment of the child and family must be conducted by qualified personnel, in a nondiscriminatory manner, and selected and administered so as not to be racially or culturally discriminatory. Unless clearly not feasible to do so, all evaluations and assessments of a child must be conducted in the native language of the child.
- g) Eligibility shall be determined annually. Children will continue to be eligible if they:
- 1) have entered the program under any of the eligibility criteria in subsection (a) but no longer meet the current eligibility criteria under this Section; and
 - 2) either:
 - A) continue to have any measurable delay; or

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- B) have not attained a level of development in each area, including cognitive, physical (including vision and hearing), language, speech and communication, psycho-social, or self-help skills, that is at least at the mean of the child's age equivalent peers; and
- 3) have been determined by the multidisciplinary team to require the continuation of ~~E~~Early intervention services in order to support continuing developmental progress, pursuant to the child's needs, and provided in an appropriate developmental manner. The type, frequency, and intensity of services will differ from the initial individualized family service plan (IFSP) because of the child's developmental progress, and may consist of only service coordination, evaluation and assessments.
- ~~h)~~d) If a family removes a child from services prior to reaching age three years and the child is later referred again, the child must meet eligibility criteria in effect at the time of the subsequent referral in order to be re-enrolled.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.55 Early Intervention Services/Devices

~~E~~Early intervention services ~~as defined in Section 500.20~~ may include the following as deemed necessary under the IFSP:

- a) Assistive technology, including:
- 1) Assistive technology devices, meaning any item, piece of equipment or product system, whether acquired commercially off the shelf, modified or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities. The term does not include a medical device that is surgically implanted, including cochlear implant, or the optimization (e.g., mapping), maintenance or replacement of that device. Devices must be approved prior to purchase by the Department. Prior approval will not exclude assistive technology devices as defined in this Part that are required in order to meet the child's EI needs. Devices that meet the medical, life sustaining or routine daily needs of the child do not fall within the definition of assistive technology device.
- 2) Assistive technology services, meaning services that directly assist an

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~infant or toddler~~ ~~child~~ with a disability in selection, acquisition, or use of an assistive technology device. Assistive technology services include:

- A) Evaluating the needs of an infant or toddler with a disability, including a functional evaluation of the infant or toddler with a disability in the child's customary environment;
- B) Selecting, designing, fitting, customizing, adapting, maintaining or repairing assistive technology devices;
- C) Coordinating and using other therapies, interventions or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs; and
- D) Training or technical assistance for an infant or toddler with a disability or, if appropriate, that child's family.

- b) Audiology, aural rehabilitation/other related services for the purposes of:
- 1) Identification of children with auditory impairment, using at risk~~appropriate~~ criteria and appropriate audiologic screening techniques;
 - 2) Determination of the range, nature, and degree of hearing loss and communication functions by use of audiological evaluation procedures;
 - 3) Referral for medical ~~testing~~ and other services necessary for the habilitation or rehabilitation of an infant or toddler with a disability who has an~~children with~~ auditory impairment;
 - 4) Provision of auditory training, aural rehabilitation, speech reading and listening device orientation and training, and other related services;
 - 5) Determination of the child's ~~need for~~ individual amplification, including selecting, fitting, and dispensing appropriate listening and vibrotactile devices, and evaluating the effectiveness of those devices;
 - 6) Provision of services for prevention of hearing loss; and
 - 7) Family training, education and support provided to assist the child's family

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

in understanding the child's special needs as related to audiology, aural rehabilitation and other related services and to enhancing the child's development.

e) ~~Clinical assessment, counseling and other therapeutic services for the purposes of:~~

- ~~1) Evaluation to determine a child's developmental status and need for early intervention services;~~
- ~~2) Administering psychological or developmental tests and assessment procedures to determine the need for psychological or other counseling services;~~
- ~~3) Interpreting evaluation results;~~
- ~~4) Obtaining, integrating and interpreting information about child behavior and child and family conditions related to learning, mental health, and development;~~
- ~~5) Planning and managing a program of psychological or other counseling services, including psychological or other counseling for children and parents, family counseling, consultation on child development, parent training, and education programs;~~
- ~~6) Family training, education and support provided to assist the child's family in understanding the child's needs as related to psychological or other counseling services and to enhancing the child's development; and~~
- ~~7) Identifying, mobilizing, and coordinating community resources and services to enable the child and family to receive maximum benefit from early intervention services.~~

c)d) Developmental therapy services for the purposes of:

- 1) Evaluation to determine a child's developmental status and need for EI services; Evaluation/assessment, IFSP development, provider to provider consultation and treatment planning that leads to achieving IFSP outcomes, special instruction activities defined in the IFSP that promote acquisition of skills in various developmental areas, including cognitive

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~processes and social interaction, provision of information and support related to enhancing the child's skill development.~~

- 2) The design of learning environments and activities that promote the infant's or toddler's acquisition of skills in a variety of developmental areas, including cognitive processes and social interaction;
 - 3) Curriculum planning, including the planned interaction of personnel, materials, and time and space, that leads to achieving the outcomes in the IFSP for the infant or toddler with a disability;
 - 4) Providing families with information, skills and support related to enhancing the skill development of the child;
 - 5) Working with the infant or toddler with a disability to enhance the child's development; and
 - 6) Family training, education and support provided to assist the child's family in understanding the child's special needs as related to developmental therapy services and to ~~enhance~~enhancing the child's development.
- d)e) Family training and support that can include education provided to assist the family of an eligible child in understanding the needs of the child as related to the provider's specific discipline and to ~~enhance~~enhancing the child's development.
- e)f) Health consultation by a licensed physician who has provided recent and/or ongoing medical treatment for the child with service providers who are identified on a child's IFSP as members of the child's multidisciplinary team concerning the ~~child's~~ health care needs of infants and toddlers with disabilities that will need to be addressed in the course of providing other EI~~impact the provision of early intervention~~ services.
- f)g) Medical services for diagnostic or evaluation purposes provided by a licensed physician to determine a child's developmental status and need for EI~~early intervention~~ services.
- g)h) Nursing services for the purposes of:
- 1) Evaluation to determine a child's developmental status and need for

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Early intervention services;

- 2) Assessment to determine a child's health status for the purpose of providing nursing care, including the identification of patterns of human response to actual or potential health problems; and identify the need for medical referrals;
- 3) Provision of required nursing care to prevent health problems, restore or improve functioning, and promote optimal health and development during the time the child is receiving other Early intervention services, such as:
 - A) administration of medications, treatments, and regimens prescribed by a licensed physician; and
 - B) clean intermittent catheterization, tracheostomy care, tube feeding, the changing of dressings or colostomy collection bags, and other health services as required to allow the child to participate in other EI services;
- 4) Family training, education and support provided to assist the child's family in understanding the child's needs as related to nursing services and to enhancing the child's development. Nursing services do not include hospital or home health nursing care required due to surgical or medical intervention or medical health services such as immunizations and regular "well child" care that are routinely recommended for all children.

h)† Nutrition services for the purposes of:

- 1) Conducting individual assessments in nutritional history and dietary intake, anthropometric, biochemical, and clinical variables, feeding skills and feeding problems, and food habits and food preferences;
- 2) Developing and monitoring appropriate plans to address the nutritional needs of the eligible child based upon individual assessment;
- 3) Making referrals to appropriate community resources to carry out nutrition goals; achieve plans; and
- 4) Family training, education and support provided to assist the child's family

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

in understanding the child's needs as related to nutrition services and to enhancing the child's development.

~~i)j)~~ Occupational therapy services to address the functional needs of an infant or toddler with a disability~~a child~~ related to adaptive development; adaptive behavior and play; and sensory, motor, and postural development. These services are designed to improve the child's functional ability to perform tasks in home, school, and community settings and include:

- 1) Identification, evaluation, Evaluation/assessment and intervention;
- 2) Adaptation of the environment and selection, design and fabrication of assistive and orthotic devices to facilitate development and promote the acquisition of functional skills;
- 3) Prevention or minimization of the impact of initial or future impairment, delay in development, or loss of functional ability; and
- 4) Family training, education and support provided to assist the child's family in understanding the child's needs as related to occupational therapy services and to enhancing the child's development.

~~jk)~~ Physical therapy services to address the promotion of sensorimotor function through enhancement of musculoskeletal status, neurobehavioral organization, perceptual and motor development, cardiopulmonary status, and effective environmental adaptation. These services include:

- 1) Evaluation, screening and /assessment of infants and toddlers to identify movement dysfunction;
- 2) Obtaining, interpreting, and integrating information appropriate to program planning to prevent, alleviate, or compensate for movement dysfunction and related functional problems;
- 3) Providing individual and group services or treatment to prevent, alleviate, or compensate for movement dysfunction and related functional problems; and
- 4) Family training, education and support provided to assist the child's family

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

in understanding the child's needs as related to physical therapy services and to enhancing the child's development.

- k) Psychological services for the purposes of:
 - 1) Evaluation to determine a child's developmental status and need for EI services;
 - 2) Administering psychological and developmental tests and assessment procedures to determine the need for psychological or other counseling services;
 - 3) Interpreting assessment results;
 - 4) Obtaining, integrating and interpreting information about child behavior and child and family conditions related to learning, mental health and development;
 - 5) Planning and managing a program of psychological or other counseling services, including psychological or other counseling for children and parents, family counseling, consultation on child development, parent training and education programs;
 - 6) Family training, education and support provided to assist the child's family in understanding the child's needs as related to psychological or other counseling services and to enhancing the child's development; and
 - 7) Identifying, mobilizing and coordinating community resources and services to enable the child and family to receive maximum benefit from EI services.
- l) Service coordination carried out by a Service Coordinator~~service coordinator~~ to assist and enable an infant or toddler with a disability~~a child eligible under Part C~~ and the child's family to receive the services and rights, including procedural safeguards, and services that are authorized to be provided through the State's EI Program~~early intervention program~~, including:
 - 1) Assisting parents of infants and toddlers with disabilities in obtaining access to needed EI services and other services identified in the IFSP,

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- including making referrals to providers for needed services and scheduling appointments for infants and toddlers with disabilities and their families; Providing comprehensive case management to coordinate EI and non-EI services provided for the child and family;
- 2) Coordinating the provision of EI services and other services (such as educational, social and medical services that are not provided for diagnostic or evaluative purposes) that the child needs or is being provided; Contacting the child/family at a minimum of one time per month to coordinate and monitor the provision of needed evaluation/assessments and services;
 - 3) Coordinating evaluations and assessment; Facilitating and participating in the development, review and updating of Individualized Family Service Plans;
 - 4) Facilitating and participating in the development, review and evaluation of IFSPs; of a transition plan to preschool services;
 - 5) Conducting referral and other activities to assist families in identifying available EI services providers; Facilitating referrals for appropriate EI and non-EI services and supports;
 - 6) Coordinating, facilitating and monitoring the delivery of EI services to ensure that the services are provided in a timely manner; Developing and maintaining the child's permanent and electronic EI record at the regional intake entity; and
 - 7) Conducting follow-up activities to determine that appropriate Part C services are being provided; Informing families of the availability of advocacy services.
 - 8) Informing families of their rights and procedural safeguards and related resources;
 - 9) Coordinating the funding sources for services required under this Part;
 - 10) Facilitating the development of a transition plan to preschool, school or, if appropriate, other services;

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 11) Contacting the child/family at a minimum of one time per month to coordinate and monitor the provision of needed evaluation/assessments and services;
 - 12) Developing and maintaining the child's permanent and electronic EI record at the regional intake entity; and
 - 13) Informing families of the availability of advocacy services.
- m) Sign language and cued language services, including teaching sign language, cued language, and auditory/oral language, providing oral transliteration services (such as amplification), and providing sign and cued language interpretation. These services shall be covered under the existing EI services.
- n) Social work services for the purposes of:
- 1) Evaluation to determine a child's developmental status and need for Eearly intervention services;
 - 2) Making home visits to evaluate~~assess~~ a child's living conditions and patterns of parent-child interaction to determine the need for social work or other counseling services;
 - 3) Preparing a social or emotional developmental assessment~~evaluation~~ of the infant or toddler~~child~~ within the family context;
 - 4) Providing individual and family group counseling with parents and other family members, and appropriate social skill building activities with the infant or toddler~~child~~ and parents;
 - 5) Working with those problems in the child's and family's living situation (home, community, and any center where Eearly intervention services are provided) of an infant or toddler with a disability and the family of that child that affect the child's maximum utilization of Eearly intervention services;
 - 6) Identifying, mobilizing, and coordinating community resources and services to enable the infant or toddler with a disability~~child~~ and family to

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

receive maximum benefit from ~~E~~early intervention services; and

- 7) Family training, education and support provided to assist the child's family in understanding the child's needs as related to social work or other counseling services and to enhancing the child's development.

~~o)n~~) Speech-language ~~pathologytherapy~~ services for the purposes of:

- 1) Evaluation/assessment activities to identify ~~children with~~ communicative or ~~languageoropharyngeal~~ disorders and delays in development of communication skills, including the diagnosis and appraisal of specific disorders, and delays in those skills;
- 2) Referral for medical or other professional services necessary for the habilitation or rehabilitation of children with communicative or ~~languageoropharyngeal~~ disorders and delays in development of communication skills;
- 3) Provision of services for the habilitation, rehabilitation, or prevention of ~~communicationcommunicative~~ or ~~languageoropharyngeal~~ disorders and delays in development of communication skills; and
- 4) Family training, education and support provided to assist the child's family in understanding the child's needs as related to speech therapy services and to enhancing the child's development.

~~p)ø~~) Transportation services ~~and related costs include the cost of travel~~ (e.g., loaded mileage for travel by taxi, service car or private auto) provided in accordance with the Department's EI transportation policies ~~that are necessary~~ to enable an ~~infant or toddler with a disabilityeligible child~~ and the child's family to travel to and from the location where the child receives another ~~E~~early intervention service.

~~q)þ~~) Vision services for the purposes of:

- 1) Evaluation/assessment of visual functioning, including the diagnosis and appraisal of specific visual disorders, delays and abilities ~~that affect early childhood development~~;
- 2) Referral for medical or other professional services necessary for the

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

habilitation and/or rehabilitation of visual functioning disorders;

- 3) Communication skills training, orientation and mobility training for all environments, visual training, ~~independent living skills training~~, and additional training necessary to activate visual motor abilities; and
- 4) ~~Orientation/mobility and other vision services related to improvement of visual functioning, including orientation and mobility training for all environments, communication skills training, visual training, independent living skills training and additional training necessary to activate visual motor activities; and~~
- 4) Family training, education and support provided to assist the child's family in understanding the child's needs as related to vision services and to enhancing the child's development.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.60 Provider Qualifications/Credentialing and Enrollment

- a) Credentialing and enrollment, as set forth in this Part, is only for the purpose of providing and being reimbursed for EI services as set forth in this Part. It is not a license.
- b) An individual shall meet the pertinent licensing, degree, education and/or certification requirements for the service to be provided, as set forth in Appendix C, as well as the requirements set forth in this Section, in order to qualify for and maintain a credential to provide EI services. Credentialed providers must also enroll in order to be reimbursed for services.
- c) To be credentialed and maintain the credential the individual shall also:
 - 1) not be delinquent in paying a child support order as specified in Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65];
 - 2) not be in default of an educational loan in accordance with Section 3 of the Education Loan Default Act [5 ILCS 385/3];
 - 3) not have served or completed a sentence for a conviction of any of the

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

felonies set forth in Section 25(a) and (b) of the Health Care Worker Background Check Act [225 ILCS 46]/~~25(a) and (b)~~ within the preceding five years (see Section 50-10 of the Illinois Procurement Code [30 ILCS 500]/~~50-10~~);

- 4) not have been determined to be a perpetrator of an indicated incident of child abuse or neglect in an investigation by Illinois under the Abused and Neglected Child Reporting Act [325 ILCS 5] or by another state under that state's laws for at least the previous five years;
 - 5) be in compliance with pertinent laws, rules, and government directives regarding the delivery of services for which they seek credentialing.
- d) Applicants for a credential shall consent to a background check as set forth in 89 Ill. Adm. Code 385.30(c) through the Illinois Department of Children and Family Services, consisting of review of CANTS/SACWIS, Illinois Sex Offender Registry and criminal history.
- e) **Temporary Credential**
An individual who is not currently credentialed and has submitted an application to the Department's credentialing office, including an acceptable plan for ongoing professional development as required in subsection (k)(2), and has met the pertinent requirements provided in Appendix C, as well as documentation of completion of E~~early intervention~~ systems training as defined in subsection (f) and other requirements in this Part, will be issued a temporary credential and may provide EI services.
- f) E~~Early Intervention~~ Systems Training
- 1) In order to qualify for a credential, an individual must document the completion of E~~early intervention~~ systems training as required and provided by the Department. Parent Liaisons and Service Coordinators must complete this training within 90 days after the receipt of the temporary credential for such service. This training shall include at least:
 - A) Practice and procedures of private insurance;
 - B) The role of the regional intake entities, service coordination, program eligibility determinations, family fees, All Kids, and the

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Division of Specialized Care for Children (DSCC) applications, referrals, and coordination with EI Early Intervention, and procedural safeguards;

- C) Introduction to the EI Early Intervention Program, including provider enrollment and credentialing, overview of EI Early Intervention Program policies and regulations, and billing requirements; and
 - D) Evaluation and assessment of birth-to-three children, individualized family service plan development, monitoring and review, EI early intervention philosophy and best practices, and quality assurance.
- 2) A temporary credential may be issued to a Parent Liaison or Service Coordinator, who shall document completion of training as required and approved by the Department, within 90 days after the receipt of the temporary credential for such service. This training shall include at least the EI early intervention systems training, set forth in subsections (f)(1)(A) through (D), as well as:
- A) Use of the management information system;
 - B) Regional intake entity operating philosophies and procedures; and
 - C) Transition.
Extensions of up to 90 days may be granted upon written request setting forth facts concerning noncompliance with this requirement. The Department's credentialing office will consider extreme hardship and other extenuating circumstances and determine if an extension should be granted on an individual basis.
- g) Education
- 1) Individuals who hold a credential on July 1, 2007, other than individuals who hold a professional license in the State of Illinois, as set forth in Appendix C, as part of the first subsequent credential renewal application process, must provide documentation of the completion of educational experiences, as approved by the Department, that include at least two

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

semester college hours or the equivalent (30 clock hours or continuing education unit (CEU) credit hours) in each of the following Early intervention core knowledge content areas. Parent Liaisons are not required to provide this documentation.

- A) The Development of Young Children: Typical and Atypical;
- B) Working with Families of Young Children with Disabilities;
- C) Intervention Strategies for Young Children with Special Needs;
and
- D) Assessment of Young Children with Special Needs.

- 2) To qualify for a temporary credential, developmental therapists must document completion of educational experiences, as approved by the Department, that include at least two semester college hours or the equivalent (30 clock hours or CEU credit hours) in each of the Early intervention core knowledge content areas listed in subsection (g)(1). As of July 1, 2007, all other applicants for a temporary credential, other than individuals that hold a professional license in the State of Illinois, as set forth in Appendix C, shall document completion of these educational experiences within 18 months after issuance of a temporary credential. Extensions of up to six months may be allowed upon request in writing, received at least 30 days before the expiration of the credential, setting forth the facts concerning noncompliance with this requirement. The Department's credentialing office will consider hardship and other extenuating circumstances and determine if an extension should be granted on an individual basis.

h) Consultation Requirement Either Prior to or During Temporary Credential

- 1) In order to qualify for full credential, an individual must complete and document consultation while providing 240 hours of direct services, for which they are being credentialed, to children ages birth to three with special needs and their families, except that Developmental Therapists/Vision, Orientation and Mobility Developmental Therapists, ~~and~~ Developmental Therapists/Hearing, and providers credentialed under the EI service categories of Clinical Assessment, Counseling and other

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Therapeutic Services, Nursing, Nutrition and Social Services, as defined in Appendix C, need only document 120 hours. Documentation must show that the individual participated in consultation with an appropriately experienced individual of the same discipline/~~EI~~Early Intervention service group who has experience working with children ages birth to three with special needs and their families. The consultation shall be in compliance with the professional standards of the individual seeking the credential, as determined and documented by the consultant.

2) Individuals who do not meet the consultation requirement in subsection (h)(1) shall complete and document such experience within 18 months after issuance of their temporary credential. Extensions of up to six months may be granted upon written request, received at least 30 days before the expiration of the credential, setting forth the facts concerning noncompliance with this requirement. The Department's credentialing office will consider extreme hardship and other extenuating circumstances and determine if an extension should be granted on an individual basis.

i) Full Credential

Once an individual with a temporary credential has documented satisfactory completion of the requirements in subsections (g) and (h), as well as the ongoing professional development requirement in subsection (k)(2), he/she is eligible to be fully credentialed.

j) Evaluation ~~and~~ Assessment Services

Evaluation ~~and~~ assessment services for the purpose of determining initial eligibility, participating in the development of an initial comprehensive IFSP, and adding new types of services to existing IFSPs must be provided by a provider with a credential for Evaluation/Assessment as set forth in Appendix C in addition to an ~~EI~~Early Intervention Specialist credential in the discipline required by the service being evaluated.

k) Renewal of Credential

Full credentials are valid for three years. 60 to 90 days before his/her credential expires, a provider shall submit a renewal application to the Department in a form required by the Department. To qualify for renewal, the provider must have met and provide documentation of the following continuing professional education and development activities, as well as documentation of maintenance of pertinent licensure/certification requirements and compliance with this Part. Failure to

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

receive a renewal notice from the Department shall not excuse the submission of a renewal application for one's credential.

- 1) Continuing Professional Education
During the three years that the full credential is valid, a credentialed provider shall receive a total of 30 hours of continuing professional education as approved by the Department. Up to 20 of those hours shall be provided by the Department, or its training designee. The provider credential notification and renewal letters will define the number of hours that shall be provided by the Department or its training designee. The remaining training hours shall include one ~~This training shall include two~~ or more of the E~~arly~~ intervention core knowledge content areas set forth in subsections (g)(1)(A) through (D). Extensions of up to three months may be granted upon written request, received at least 30 days before the expiration of the credential, setting forth the facts concerning noncompliance with this subsection (k)(1). The Department's credentialing office will consider extreme hardship and other extenuating circumstances and determine if an extension should be granted on an individual basis. The extension shall not extend the time within which the subsequent year's training requirements must be received.
- 2) Ongoing Professional Development
 - A) A credentialed provider (including temporary) shall participate in a system of ongoing professional development that includes a once a month non-billable meeting held either face-to-face or over the telephone with either an individual specialist-level credentialed provider or a group, of which at least one member is a specialist-level credentialed provider in order to facilitate best practices through case review. Each provider shall submit an ongoing professional development plan with his/her initial and renewal credential application in a format provided by the Department, and shall also report ongoing professional development activities when moving from temporary to a full credential status and upon credential renewal to the Department's credentialing office or upon request of the Department or its designee in a format provided by the Department. Documentation of ongoing professional development must demonstrate that a credentialed provider participated in ongoing professional development meetings in at

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

least 75 percent of the months in his/her temporary or full credential period.

- B) Service Coordinators and Parent Liaisons employed by regional intake entities shall participate in ongoing professional development experience as defined and implemented through a contractual agreement between the Department and the regional intake entity, instead of the requirement of this subsection (k)(2).
- l) **Restoration of Lapsed Credential**
A credential that has lapsed for one year or less may be restored upon application proving the receipt of 30 hours of continuing professional education, as continuing professional education is defined in subsection (k)(1), and documentation of ongoing professional development as defined in subsection (k)(2).
- m) **Enrollment**
Credentialed providers (including temporary) must enroll with the Department in order to bill and receive payment for **E**arly intervention services. Enrollment requires the payee entity to enter into a Service Provider Agreement with the Department that establishes the duties, expectations, and relationships between the Department and the Individual Provider or the Provider Agency. Providers shall submit an enrollment application packet at the same time they submit an application for a credential. Providers credentialed as an "associate", as defined in Appendix C, are not required to enroll, but shall be supervised by a specialist who is credentialed and enrolled in the same discipline, as set forth in Appendix D. The payee entity will bill for the services provided by the associate level provider under the name of the associate's supervisor. The payee entity, supervisor and associate will comply with all directives and policy and procedural changes. Failure to receive Department payments, directives and policy and procedural changes, due to failure to comply with this subsection, shall not excuse compliance with those directives and changes.
- n) **Change of Name or Address**
Credentialed providers shall notify the Department's credentialing office of any change of name or address within 30 days prior to billing under the new name and/or address, or 30 days after such change, whichever comes first. Correct information is required for a provider to receive payment for services.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- o) Providers shall also enroll with the Department of Healthcare and Family Services to become an All Kids provider, simultaneously with EI enrollment.
- p) An individual applying for or renewing enrollment shall state whether he or she is also enrolled as a DSCC provider.
- q) Termination of Credential/Enrollment
 - 1) Credentialing/enrollment, as set forth in this Section, is not a license. Rights of credential and enrollment are set forth in the Service Provider Agreement. In addition to the provisions of this subsection (q), the Department may exercise any rights it has under the Service Provider Agreement to terminate the agreement.
 - 2) The following shall result in immediate automatic termination of a provider's credential and enrollment:
 - A) Failure to comply with the requirements of subsection (g) and/or (h) within the time period or within a Department-granted extension not exceeding the maximum extension time allowed.
 - B) Failure to successfully enroll in, exclusion from or termination from participation in All Kids and/or other programs of federal or State agencies.
 - C) Lapse of credential/enrollment for over 1 year without complying with subsection (l) or failure to bill for services for more than 12 consecutive months.
 - D) Suspension or termination of the license and/or certification required for the service for which one is credentialed.
 - E) Failure to meet or maintain other credential and enrollment requirements set forth in this Section.
 - 3) The following shall also result in termination of a provider's credential and enrollment:
 - A) Failure to comply with provisions of this Part, or with EIEarly

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- Intervention** Service Provider Agreements, or with other laws and regulations relevant to the services for which there is a credential.
- B) Unprofessional conduct.
 - C) Complaints the Department has determined are founded and significant.
 - D) Professional performance not consonant with recognized standard of care or adverse action of a professional society or other professional organization.
 - E) Lack of timely cooperation regarding the submission of and adequacy of reports, the development of appropriate goals and objectives and the development of multidisciplinary treatment plans.
 - F) Inappropriate billing practices.
- 4) The provider shall be notified of the date of termination and the reason, and shall help to transition clients to new providers. The provider may request an informal hearing, but the request shall not affect the termination date, which may proceed prior to the informal hearing. The request must be made within 30 days after the notice of the termination.
 - 5) The provider may present relevant information, witnesses and evidence to the Secretary or his/her designee, in person or in writing. The Secretary or the designee will review the information presented and any supplemental investigation performed by the Department and issue a decision within 30 days after the hearing.
 - 6) The decision of the Secretary or the designee shall be final.
- r) The Department may deny an application for credential and enrollment or a Service Provider Agreement if the applicant's past conduct resulted in the termination of his or her credential and enrollment or Service Provider Agreement. An applicant may appeal a denial for a credential and enrollment or Service Provider Agreement based on a prior termination pursuant to subsection (q).

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.65 Monitoring

- a) The Department, or its designee, will conduct comprehensive on-site monitoring visits at the regional intake entities. Other visits may occur at any time. Desk reviews may also be performed and families may be interviewed. The regional intake entities shall help the Department or its designee in obtaining representative family interviews.
- b) The Department or its designee will prepare a written report of its findings that shall be sent to the regional intake entity. The report shall identify issues of non-compliance and may make recommendations about other areas of concern.
- c) The regional intake entity shall send a corrective action plan to the Department or its designee within 30 days after receipt of the report, proposing timelines for addressing each compliance issue.
- d) The Department or its designee will approve, within 14 days, an acceptable corrective action plan and timelines and may make follow-up visits as necessary to determine progress and compliance as soon as possible and in no case later than one year after the lead agency's identification of noncompliance.
- e) If the corrective action plan is not acceptable to the Department, it may within 14 days provide a reasonable plan and timelines, and make follow-up visits as necessary to determine progress and compliance as soon as possible and in no case later than one year after the lead agency's identification of noncompliance.
- f) In addition to any other rights the Department may have under contract with the regional intake entity the Department may suspend the contract, or withhold or suspend payments to the regional intake entity due to noncompliance with this Part and with Part C. Suspensions and holds may be lifted upon completion of, or demonstration of satisfactory progress towards, satisfactory corrective action. If an acceptable corrective action plan is not submitted in the required timeframe or the terms of the corrective action plan are not met by the provider, the Department may terminate the contract. This Section does not preclude the Department from exercising any rights it may have under its contract with the regional intake entity.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- g) The Department or its designee may also visit and review records of individual providers within the area to assure compliance with applicable laws, regulations and Service Provider Agreements. Visits may occur at any time. The Department may withhold or suspend payments to the provider for noncompliance with this Part or with Part C, as set forth in the Service Provider Agreement.
- h) The Department or its designee monitoring team may also submit written reports to individual providers regarding provider non-compliance and issues of concern. Technical assistance will be provided as necessary.
- i) Providers receiving such reports shall submit a corrective action plan within 30 days proposing timelines for addressing issues of compliance. The Department or its designee shall follow subsections (d) and (e) if necessary regarding the provider.
- j) In addition to other rights the Department may have, it may terminate its Service Provider Agreement with a provider due to non-compliance with this Part, and arrange for the provision of services to eligible children by other providers. This Section does not preclude the Department from exercising any rights it may have under the Service Provider Agreement.
- k) The time frames set forth in this Section shall not preclude the Department from taking action immediately, if necessary, to protect the public interest, safety and welfare or to prevent ongoing violation of federal and State laws or threat of such violation. Nothing contained in this Section shall preclude the Department from taking action even if the provider is taking or has taken corrective action.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

SUBPART C: SERVICE DELIVERY REQUIREMENTS

Section 500.70 Intake

- a) Upon receiving a referral, regional intake entities shall ensure that evaluation, eligibility determination, assessments in all five developmental domains as set forth in Section 500.75(a)(3), and development of the initial IFSP Individualized Family Service Plan are completed with the family within 45 calendar days. The 45-day timeline does not apply for any intake period when the child or parent is unavailable to complete the initial evaluation, the initial assessments of the child

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

and family, or the initial IFSP meeting due to the exceptional family circumstances that are documented in the child's EI records, or the parent has not provided consent for the initial evaluation or the initial assessment of the child despite documented, repeated attempts to obtain parental consent. The initial evaluation, the initial assessments (of the child and family), and the initial IFSP meeting should be completed as soon as possible after the documented exceptional family circumstances no longer exist or parental consent is obtained for the initial evaluation and the initial assessment of the child. An interim IFSP should be developed, to the extent appropriate pursuant to Section 500.80(h), can be extended by documented family request.

- b) Service coordination, evaluation, ~~assessment~~, eligibility determination, ~~IFSP and Individualized Family Service Plan~~ development, ~~IFSP~~ review, and ~~IFSP~~ updating, and procedural safeguards shall be provided at no cost to families.
- ~~b) Regional intake entities shall provide service coordination for each family.~~
- c) The ~~Service Coordinator~~~~service coordinator~~ shall request appointment of a surrogate parent upon referral and prior to evaluation of a child who would not otherwise have parental representation, as set forth in Section 500.160.
- d) The ~~Service Coordinator~~~~service coordinator~~ shall provide the family with orientation to the Illinois ~~EI~~~~Early Intervention~~ Services System, shall inform the child's parents of their rights and shall give 10 days written prior notice whenever the Department or service providers propose or refuse to initiate or change the identification, evaluation, or placement of the child or the provision of ~~EI~~~~early intervention~~ services.
- e) Upon receipt of informed consent from the child's parent, the ~~Service Coordinator~~~~service coordinator~~ shall proceed with initial intake activities that shall include:
- 1) Establishment of the child's permanent and electronic record with the regional intake entity;
 - 2) Completion of Department required intake forms;
 - 3) Completion of a family-directed assessment of the resources, priorities and concerns of the family and the identification of the supports and services

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

necessary to enhance the family's capacity to meet the developmental needs of the infant or toddler. The family-directed assessment must be voluntary on the part of each family member participating in the assessment, be based on information obtained through an assessment tool and also through an interview with those family members who elect to participate in the assessment, and include the family's description of its resources, priorities and concerns related to enhancing the child's development. Unless clearly not feasible to do so, family assessment must be conducted in the native language of the family members being assessed. The initial family assessment must be conducted within the 45-day timeline if the parent concurs and even if other family members are unavailable.

4) Request ~~for~~ existing records regarding the child's need for services; and

5)4) Review of existing records to identify whether additional information is needed to determine if the child meets federal and State established eligibility criteria.

f) The parent shall also be provided with notice regarding the uses and disclosures of personally identifiable information~~HIPAA-protected health information~~ that will be collected and maintained for service delivery, and the rights provided by FERPA~~HIPAA~~ with respect to that information,~~as set forth in 45 CFR 164.520.~~

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.75 Eligibility Determination

a) The Service Coordinators~~service coordinator~~ shall, with informed parental consent:

- 1) Assist the family in developing an evaluation plan that lists testing activities needed to collect the information and the appropriate available enrolled providers chosen by the family to conduct the tests;
- 2) Arrange for the evaluation plan to be implemented; and
- 3) Obtain evaluation reports, including statements of evaluator findings related to the child's eligibility status and the child's functioning level, unique strengths and needs in the developmental areas tested and the

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

services appropriate to meet those needs in all of the following five developmental domains:

- A) cognitive development;
 - B) physical development, ~~including vision and hearing;~~
 - C) ~~language, speech and~~ communication development;
 - D) social ~~or~~ -emotional development; and
 - E) adaptive ~~self-help skills~~ development.
- b) A provider must hold an Evaluation/Assessment credential to conduct evaluations and assessments to determine initial eligibility or the need to add a new service to the IFSP. Providers shall conduct authorized evaluations and provide reports to the ~~Service Coordinator~~~~service coordinator~~ within 14 calendar days after the receipt of the request to perform an evaluation.
- c) After sufficient information has been collected to determine eligibility status, the ~~Service Coordinator~~~~service coordinator~~ shall ensure that eligibility is determined as set forth in Section 500.50. Existing records and evaluation reports may be used to assist with the evaluation and /assessment process. Evaluations and /assessments used in the eligibility determination and/or IFSP development process must have been completed no more than six months prior to the child's eligibility determination and/or IFSP development.
- d) If the child is determined eligible, the ~~Service Coordinator~~~~service coordinator~~ shall:
- 1) Inform the parent in writing that the child was determined eligible; and
 - 2) Assure completion of further comprehensive evaluation/assessment activities with the family.
- e) If the child is determined ineligible, the ~~Service Coordinator~~~~service coordinator~~ shall ~~provide~~~~inform~~ the parent with prior written notice and include in the notice information about the parent's right to dispute the eligibility determination through the dispute resolution mechanisms such as requesting a Due Process

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Hearing under Section 500.140 or Mediation under Section 500.145 or filing a State Complaint under Section 500.170. The Service Coordinator~~in writing and~~ shall close the case as set forth in Section 500.105. Written notice shall be consistent with the requirements of Section 500.165.

- f) With informed parental consent, the Service Coordinator~~service coordinator~~ shall notify the referral source in writing of the status of the referral.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.80 Individualized Family Service Plan Development

- a) The Service Coordinator~~service coordinator~~ shall:
- 1) Review existing records to identify whether additional information is needed to determine the child's current health status and medical history and, if so, shall request the information upon receipt of informed parental consent.
 - 2) Review existing records and evaluation reports to identify whether additional information is needed to determine the child's functioning levels, unique strengths and needs and the services appropriate to meet those needs in the five developmental domains (cognitive development; physical development, ~~including vision and hearing~~; communication development; social or ~~—~~emotional development; and adaptive development~~self-help skills~~) and, if not, shall arrange for additional evaluation and ~~/~~assessment activities using methods described in Section 500.75.
 - 3) Assist the family in determining its resources, priorities and needs related to being able to enhance its child's development and the supports and services appropriate to meet those needs.
 - 4) Assist the family initially, and annually thereafter or more often as required by change of circumstances, in determining its ability to participate in the cost of services that are subject to family fees. The inability of a family to participate in the cost of services shall not result in the denial of services to the child or the child's family.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 5) At the point of ~~E~~early intervention intake, and again at any periodic review of eligibility thereafter or upon a change in family circumstances, collect information regarding any and all public and private insurance under which the child's services may be covered.
- 6) Explain to each family, orally and in writing, information about the use of public benefits or private insurance and the system of payments and fees, as outlined in Sections 500.125 and 500.130, all of the following:
- A) ~~That the early intervention program will pay for all early intervention services set forth in the individualized family service plan that are not covered or paid under the family's public or private insurance plan or policy and not eligible for payment through any other third party payor.~~
 - B) ~~That services will not be delayed due to any rules or restrictions under the family's insurance plan or policy.~~
 - C) ~~That the family may request, with appropriate documentation supporting the request, a determination of an exemption from private insurance use under Section 13.25 of the Act.~~
 - D) ~~That responsibility for co-payments or co-insurance under a family's private insurance plan or policy, but only to the extent that those payments plus the balance to be claimed do not exceed the current State rate for early intervention services, will be transferred to the lead agency's central billing office.~~
 - E) ~~That families will be responsible for payments of family fees, which will be based on a sliding scale according to income, and that these fees are payable to the central billing office, and that if the family encounters a catastrophic circumstance, as defined under Section 500.130(g)(1), making it unable to pay the fees, the lead agency may, upon proof of inability to pay, waive the fees.~~
- b) The Department shall not pay for services listed on the IFSP that the Department is not required to fund. ~~E~~Early intervention funding is the payor of last resort for IFSP services that the Department is required to fund. When an application or a review of eligibility for EI services is made, and at any eligibility redetermination,

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

or upon a change in family circumstances, the family shall be asked if it is currently enrolled in Medicaid, All Kids, or the Title V program administered by the University of Illinois Division of Specialized Care for Children (DSCC).

- 1) If the family is enrolled in any of these programs, that information shall be put on the IFSP and entered into the computerized case management system, and shall require that the IFSP of a child who has been found eligible for services through DSCC state that the child is enrolled in that program.
 - 2) For those programs in which the family is not enrolled, a preliminary eligibility screen shall be conducted simultaneously for medical assistance under Article V of the Illinois Public Aid Code; children's health insurance program benefits under the Children's Health Insurance Program Act; and Title V maternal and child health services provided through DSCC.
 - 3) When a child is determined eligible for and enrolled in the EI program and has been found to at least meet the threshold income eligibility requirements for medical assistance under Article V of the Illinois Public Aid Code or benefits under the Children's Health Insurance Program Act, with parental consent, complete an All Kids application with the family and forward it to the Illinois Department of Healthcare and Family Service's All Kids Unit for a determination of eligibility.
- c) Prior to development of the initial or annual Individualized Family Service Plan, the Service Coordinators~~service coordinator~~ shall:
- 1) Arrange for a meeting to be held, at a time and place convenient for the family, with the IFSP team. The meeting must include~~between~~ the child's parent or parents, and other family members, as requested by the parent, if feasible to do so,~~parental request,~~ the Service Coordinators~~service coordinator~~, a person or persons directly involved in conducting the evaluations and /assessments, ~~potential~~ service providers within the EI Service System as appropriate, and others, such as an advocate or person outside the family by parental request, to develop the IFSP~~Individualized Family Service Plan~~; and
 - 2) Provide reasonable prior written notice to the family and other participants of this meeting early enough before the meeting date to ensure that they

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

will be able to attend.

- d) At the meeting to develop the IFSP Individualized Family Service Plan, the Service Coordinator~~service coordinator~~ shall:
- 1) Coordinate and participate in the meeting.
 - 2) Ensure that the meeting is conducted in the parent's native language of the family or other mode of communication used by the family, unless it is clearly not feasible to do so, ~~or that an interpreter is present to translate what is discussed.~~
 - 3) Seek a consensus by the multidisciplinary team regarding child outcomes, functional goals and objectives and an integrated plan to meet the goals and objectives set forth in subsection (e).
 - 4) If no consensus is reached, the Service Coordinator~~service coordinator~~ shall establish a Department approved service plan reviewed by Department designated experts, and shall provide the parents with prior written notice, pursuant to Section 500.165, of the Department's proposed service plan. The parents may seek Mediation under Section 500.145~~mediation~~ or a Due Process Hearing under Section 500.140 or file a State Complaint under Section 500.170~~an impartial administrative resolution~~ regarding other requested services.
- e) The Individualized Family Service Plan must:
- 1) Be developed by a multidisciplinary team, including the Service Coordinator~~service coordinator~~ and the parent as set forth in subsection (g).
 - 2) Be based on a multidisciplinary assessment of the unique strengths and needs of the child and a voluntary family-directed assessment of resources, priorities and concerns of the family.
 - 3) Include services necessary to provide appropriate developmental benefits for the identified needs.
 - 4) Include supports and services necessary to enhance the family's capacity

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

to meet the identified developmental needs.

- 5) State the natural environments in which services shall be appropriately provided and justification of why ~~E~~early intervention cannot be achieved satisfactorily in a natural environment if any services are to be provided elsewhere. The determination must be made by the IFSP team (which includes the parents and other team members), consistent with the definition of natural environment in Section 500.20 and with the requirements that services for infants and toddlers with disabilities are provided, to the maximum extent appropriate, in natural settings. Only when EI services cannot be achieved satisfactorily in a natural environment, services may be provided in settings other than the natural environment that are most appropriate as determined by the parent and the IFSP team. The determination must be based on the child's outcomes that are identified by the IFSP team.
- 6) Include all components as required by the Department.
- 7) Provide a statement of the ~~infant or toddler with disability's~~child's present developmental levels in the following areas, based on information from that child's evaluations and assessment:~~professionally acceptable objective criteria:~~
 - A) physical development, including vision and hearing;
 - B) cognitive development;
 - C) ~~language, speech and~~communication development;
 - D) social or emotional development; and
 - E) adaptive ~~self-help skills~~development.
- 8) With permission of the family, provide~~Provide~~ a statement of the family's resources, priorities and concerns related to enhancing the development of the child as identified through the assessment of the family.
- 9) Provide a statement of the functional outcomes expected to be achieved for the child (including pre-literacy and language skills, as

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

developmentally appropriate for the child) and family, and the criteria, procedures and timelines used to determine:

- A) The degree to which progress toward achieving the outcomes is being made; and
 - B) Whether modifications or revisions of the outcomes or EI services identified in the IFSP are necessary.
- 10) Include a~~A~~ statement of the specific EI services, based on peer-reviewed research (to the extent practical), that are necessary to meet the unique needs of the child and the family to achieve the outcomes identified in subsection (e)(9), to be provided, including:
- A) The frequency and intensity for each service, meaning the number of days or sessions that a service will be provided, and whether the services are provided on an individual or group basis;~~times a service will be provided within a given period and the length of time the service will be provided during each session;~~
 - B) The length of each service, meaning the length of time the service is provided during each session of that service;
 - C) The method, meaning how a service is provided;~~of delivering the services, meaning whether the service will be provided on a group or individual basis;~~
 - ~~D)~~E) The location in which E~~early intervention~~ services will be provided, including whether the location would be considered a natural environment for the child and family, as described in subsection (e)(5); and
 - ~~E)~~D) The projected beginning dates, which shall be as soon as possible after the parent consents to the services,~~development of the IFSP~~ and the duration or the projected ending date when a given service will no longer be provided.~~dates of the services.~~
- 11) Include a~~A~~ statement of any other services, such as medical services, that the child needs or is receiving through other sources, but that are not

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

required ~~or funded E~~~~early intervention~~ services. The statement should include the funding sources to be used in paying for those services or the steps that will be taken to secure those services through public or private sources. Routine medical services such as immunization or well child care do not need to be listed unless the child is not receiving those services and needs them. If those services are not currently being provided, include a description of the steps the Service Coordinator or the family may take to assist the child and family in securing those services.

- 12) Include the~~The~~ name of the Service Coordinator~~service coordinator~~ qualified to carry out all applicable responsibilities who will be responsible for implementation of the IFSP and coordination with other agencies and persons.
- 13) Include the~~The~~ steps and services to be taken to support the smooth transition of the child to preschool services under Part B of IDEA to the extent that those services are considered appropriate or to other services that may be available, if appropriate. The steps include:
 - A) Discussions with and training of parents regarding future placements and other matters related to the child's transition at age three years;
 - B) Procedures to prepare the child for changes in service delivery, including steps to help the child adjust to and function in a new setting; ~~and~~
 - C) Confirmation that child find information about the child has been transmitted to the local education agency or other relevant agency by the State;
 - D) With informed parental consent, the transmission of additional information about the child to the local educational agency to ensure continuity of services, including a copy of the most recent evaluation ~~information~~ and a copy~~copies~~ of the most recent IFSP; ~~and-~~
 - E) Identification of transition services and other activities that the IFSP team determines are necessary to support the transition of the

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

child.

- 14) State whether the family has private insurance coverage and, if the family has such coverage, with parental consent, include with the IFSP attach a copy of the family's insurance identification card or otherwise include all of the following information:
- A) The name, address, and telephone number of the insurance carrier.
 - B) The contract number and policy number of the insurance plan.
 - C) The name, address, and social security number of the primary insured.
 - D) The beginning date of the insurance benefit year.
- f) During and as part of the IFSP development, and any changes to the IFSP, the ~~IFSP multidisciplinary~~ team may seek consultation from ~~shall consult~~ Department designated experts, if any, to help determine appropriate services, and frequency and intensity of those services. Services must be justified by the ~~IFSP multidisciplinary~~ team in order to be included on the IFSP.
- g) The contents of the IFSP shall be fully explained to the parents and informed written consent obtained prior to the provision of EI services described in the IFSP. If the parents do not provide consent for a particular service, the EI services to which consent is obtained shall be provided.
- h) The Service Coordinator shall determine if an Interim IFSP, as set forth in section 303.345 of Part C of IDEA, is needed to initiate partial services for an eligible child while intake is being completed. EI services for an eligible child and the child's family may commence before the completion of the evaluations and assessments if parental consent is obtained and an Interim IFSP is developed that includes the name of the Service Coordinator and the EI services that have been determined to be needed immediately by the child and the child's family. Evaluations and assessments must be completed within the 45-day timeline. The service coordinator shall determine if an Interim Individualized Family Service Plan, as set forth in sections 303.322(e)(2) and 303.345 of Part C of IDEA, is needed to initiate partial services for an eligible child while intake is being completed. An Interim IFSP may be needed if some early intervention services

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~have been determined to be needed immediately for the child or family.~~

- i) If an Interim IFSP is needed, the ~~Service Coordinator~~service coordinator shall:
- 1) Document the reasons an Interim IFSP is needed;
 - 2) Assist the family in determining its ability to participate in the cost of services that are subject to family fees;
 - 3) Complete the Department required IFSP form with the child's parent and with input from the ~~IFSP multidisciplinary~~ team members who recommended immediate services for the child and family;
 - 4) Arrange for the Interim IFSP to be implemented;
 - 5) Request service reports at the end of the Interim IFSP period and monitor provision of services; and
 - 6) Maintain the child's permanent and electronic record with the regional intake entity during the Interim IFSP period.
- j) The implementation of an Interim IFSP shall not be used to extend the 45 day intake period. A fee may be assessed for services subject to family fee if the family is assessed as having the ability to participate in the costs of its child's services.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.85 Individualized Family Service Plan Implementation

- a) Upon receiving informed written consent from the child's parent to implement the ~~IFSP Individualized Family Service Plan~~, the ~~Service Coordinator~~service coordinator shall:
- 1) Arrange for implementation of the IFSP utilizing available enrolled providers. Every effort shall be made to refer families eligible for DSCC services to DSCC-enrolled providers;
 - 2) Provide copies of the IFSP to each person the parent has consented to receive a copy, including each enrolled provider who is providing Early

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- ~~intervention~~ services to the child who is the subject of that plan;
- 3) Request direct service reports and monitor provision of services; and
 - 4) Update and maintain the child's permanent and electronic record with the regional intake entity during the IFSP period.
- b) The parent has the right to accept or decline any or all services without jeopardy to other services under this Part as set forth in Section 500.155(c). Refusals of services or referrals shall be documented in writing.
- c) Providers shall render authorized services as indicated in the IFSP. They shall provide direct service reports to the ~~Service Coordinator~~~~service coordinator~~ at least every six months and prior to each IFSP update/review or more often if the child's progress/lack of progress warrants.
- d) The Illinois ~~E~~~~Early Intervention~~ Services System is not responsible for funding ~~E~~~~early intervention~~ services the parent seeks from providers not enrolled with the system unless an enrolled provider cannot be made available to the family. Services outside the System in such situations must be pre-approved by the Department.
- e) With the parent's or guardian's informed consent to use private insurance and when~~When~~ a family's insurance coverage is through a managed care arrangement with a network of providers that includes one or more types of EI Specialist~~early intervention specialists~~ who provide the services set forth in the family's IFSP, the family shall use those network providers, but only to the extent that:
- 1) the network provider is immediately available to receive the referral and to begin providing services to the child;
 - 2) the network provider is enrolled as a provider in the Illinois E~~early intervention~~ system and fully credentialed under the current policy or rule of the Department;
 - 3) the network provider can provide the services to the child in the manner required in the IFSP;
 - 4) the family would not have to travel more than an additional 15 miles or an

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

additional 30 minutes to the network provider than it would have to travel to a non-network provider who is available to provide the same service; and

- 5) the family's managed care plan does not allow for billing (even at a reduced rate or reduced percentage of the claim) for EI services provided by non-network providers.
- f) If the parent or guardian has provided informed consent to use private insurance and a child has been receiving services from a non-network provider and the regional intake entity determines, at the time of enrollment in the EI Program~~program~~ or at any point thereafter, that the family is enrolled in a managed care plan, the family shall transfer to a network provider within 45 days after that determination if all the requirements of subsection (e) have been met.
- g) If an exemption to use of insurance is granted, it shall be noted on the IFSP, and the family and the providers serving the family shall be notified in writing of the exemption.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.90 Individualized Family Service Plan Updating

- a) The IFSP shall be reviewed at least every six months, or more frequently if conditions warrant or upon reasonable request of the infant's or toddler's~~child's~~ parent. The review may be carried out by a meeting with multidisciplinary team members.
 - 1) The purpose of the review is to determine:
 - A) The degree to which progress toward achieving the outcomes is being made; and
 - B) Whether modification or revision of the outcomes, services or supports in the IFSP is necessary.
 - 2) The Service Coordinator~~service coordinator~~ shall facilitate the review and implementation of any changes that are agreed upon by consensus of the multidisciplinary team and that are consistent with requirements of

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 500.80(f). Upon informed parental consent, the child's permanent and electronic record shall be updated.

- b) Providers shall conduct authorized assessments using a Department approved test instrument as indicated on the IFSP as an ongoing process throughout the period of the child's eligibility and shall provide assessment reports to the Service Coordinator~~service coordinator~~ prior to IFSP updates/reviews. A provider may request Department approval of a developmental test by submitting, in writing, documentation that the test meets the following criteria: is listed in the Mental Measurement Yearbook Series; is nationally distributed; is formally validated; is age appropriate; and is individually administered. The Mental Measurement Yearbook Series can be found at the Early Childhood Intervention Clearinghouse, many local libraries and via the Internet.
- c) At least once a year, the Service Coordinator~~service coordinator~~ shall arrange for an annual IFSP meeting to evaluate and revise, as appropriate, the IFSP for the child and the child's family. The results of any current evaluations and other information available from the assessments~~ongoing evaluations~~ of the child and child's family must be used in determining the EI~~what~~ services that are needed and shall be provided. The Service Coordinator~~service coordinator~~ shall facilitate development of the annual IFSP by conducting the activities outlined in Section 500.80.
- d) The Service Coordinator~~service coordinator~~ shall facilitate implementation of the annual IFSP by conducting the activities outlined in Section 500.85.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.100 Transition to Part B or Other Appropriate Services at Age Three

Children receiving services under this Part shall receive a smooth and effective transition to appropriate preschool programs under Part B of IDEA or to other appropriate services for 3-5 year olds, by their third birthday. The Service Coordinator~~service coordinator~~ shall make all reasonable efforts to ensure the continuity and coordination of services.

- a) No later than six~~Six~~ months prior to the child's third birthday, the Service Coordinator~~service coordinator~~ shall begin to communicate with the child's local educational agency, appropriate community programs and the family about transition. ~~The service coordinator shall:~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) ~~Inform the child's local educational agency that the child will shortly reach the age of eligibility for preschool services under Part B;~~
 - 2) ~~Inform the parent in writing of educational rights of students with disabilities under Part B;~~
 - 3) ~~Complete referral information as requested by the local educational agency (the school district).~~
- b) If a toddler with a disability may be eligible for preschool services under Part B, the lead agency will notify the State education agency and the local education agency for the area in which the toddler resides, not fewer than 90 days before the child's third birthday, that the toddler, on his or her birthday, will reach the age of eligibility for services under Part B. The lead agency will disclose the child's name, the child's date of birth, and parent contact information (including parents' names, addresses and telephone numbers). With parental consent, the Service Coordinator will transmit additional information to the LEA or other relevant agency to ensure continuity of services from the Part C program to the Part B program, including a copy of the most recent evaluation and assessment of the child and the family and the most recent IFSP.
- c) If a toddler with a disability may be eligible for Part B, the Service Coordinator~~The service coordinator~~ shall convene a conference (upon the parent's approval), consisting of at least the family, the local educational agency and the IFSP team, including the Service Coordinator~~service coordinator~~, to discuss services for the child. The conference shall also include a review of the child's program options for the period from the child's third birthday through the remainder of the school year. The meeting shall be held at least 90 days and, at the discretion of all parties, not more than 9 months before the toddler's third birthday to discuss any services the toddler may receive under Part B. The Service Coordinator shall inform the parent in writing of educational rights of students with disabilities under Part B.~~child is eligible for preschool services.~~ If the child is not potentially eligible for preschool services under Part B, the Services Coordinatore~~ordinator~~ shall make reasonable efforts to convene a conference (upon the parent's approval) among the coordinator, the family and providers of other appropriate services for the toddler to discuss appropriate services that the toddler may receive.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~d)~~e) The ~~Service Coordinator~~~~service coordinator~~ shall convene an IFSP team meeting no more than 120 days prior to the child's third birthday, if an annual IFSP meeting is not otherwise due, to discuss and document progress toward child outcomes and functional goals. If the IFSP team is able to participate in the transition conference described in ~~subsection~~ ~~Section 500.100~~(~~cb~~) and progress measures can be measured at that time, it is not necessary to convene a separate IFSP team meeting.

~~e)~~f) ~~For all children receiving services under this Part, not fewer than 90 days and, at the discretion of all parties, not more than 9 months before the child's third birthday the Service Coordinator~~~~The service coordinator~~ shall establish a written transition plan in the IFSP. The transition plan in the IFSP includes, as appropriate, steps for the toddler with a disability and his or her family to exit from the Part C program and any transition services that the IFSP team identifies as needed by that toddler and his or her family.~~based on the conferences and communications described in subsections (a) and (b). The transition plan shall provide for discussion with and training of the family, as well as for the transition of the child.~~

~~f)~~e) This plan will document all referrals to other services and all refusals of services by the parents.

~~g)~~f) The local educational agency has an obligation under the law to participate in transition planning conferences.

~~h)~~g) On the child's third birthday, the ~~Service Coordinator~~~~service coordinator~~ shall close the case pursuant to Section 500.105.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.105 Case Closure

a) When a child exits ~~E~~early intervention services other than at transition to Part B or other appropriate services, as described in Section 500.100, the ~~Service Coordinator~~~~service coordinator~~ shall convene an IFSP team meeting no more than 120 days prior to the child's exit, if an annual IFSP meeting is not otherwise due, to discuss and document progress toward child outcomes and functional goals.

b) When a child exits ~~E~~early intervention services, the ~~Service Coordinator~~~~service~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~coordinator~~ shall update and close the child's permanent and electronic record and maintain the child's permanent record as a closed file with the regional intake entity.

- c) If an eligible child moves to another state:
- 1) The ~~Service Coordinator~~~~service coordinator~~ and regional intake entity shall:
 - A) With consent of the parent, refer the child to the EI~~Early Intervention~~ program in the new state and transfer a copy of the child's permanent record to the new state; and
 - B) Update and close the child's permanent and electronic record with the Illinois regional intake entity. ~~and~~
 - ~~C) Maintain the child's original permanent record as a closed file.~~
 - 2) The Illinois EI~~Early Intervention~~ Services System is not responsible for funding services to a child and family who no longer reside in Illinois.
- d) The regional intake entity and providers shall store closed records as set forth in Section 500.110.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.115 Service Provider Requirements

Service providers shall:

- a) Not bill families for authorized EI~~early intervention~~ services.
- b) Participate in evaluation/assessment activities and the development, review and revision of IFSPs in a timely and comprehensive manner, and provide EI~~early intervention~~ services in a family centered, ethical and culturally competent manner. Family members are to be an integral part of service planning, the child's participation in EI~~early intervention~~ services, and the outcomes identified in the IFSP.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- c) Provide accurate services as set forth in the IFSP in a timely manner.
- d) Contact the Service Coordinator~~service coordinator~~ to request multidisciplinary team approval for proposed changes in the delivery of services to eligible children and to request parental consent prior to implementing any changes to services listed on the IFSP.
- e) Agree that they shall not bill or receive reimbursement from the Department's centralized billing system for services in excess of what is authorized in the IFSP.
- f) Agree not to terminate services for an eligible child without written notification to the child's Service Coordinator and family~~service coordinator~~ at least 30 days prior to the anticipated date of service termination.
- g) Meet and maintain all applicable standards and regulations for individual and program licensure, certification and credentialing. Comply with all applicable State and federal laws and regulations for physical facilities in which services are made available.
- h) Provide evaluation reports and direct service reports to the Service Coordinator~~service coordinator~~ as required by this Part and as necessary to the provision of EI services consistent with federal and State requirements.
- i) Submit invoice of charges for billable services following service delivery, according to Department billing requirements.
- j) With the parent's or guardian's informed consent to use private insurance, unless~~Unless~~ an exemption is granted to a family, bill private insurance and/or any and all other third party payors before submitting invoices for EI reimbursement.
 - 1) Bill the child's insurance carrier for each unit of EI service for which coverage may be available.
 - 2) When the service is not exempted, providers who receive a denial of payment on the basis that the service is not covered under any circumstance under the plan are not required to bill that carrier for that service again until the following insurance benefit year. That explanation of benefits denying the claim, once submitted to the central billing office,

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

shall be sufficient to meet the requirements of this subsection (j)(2) as to subsequent services billed under the same billing code provided to that child during that insurance benefit year.

- 3) Any time limit on a provider's filing of a claim for payment with the central billing office that is imposed through a policy, procedure, or rule of the Department shall be suspended until the provider receives an explanation of benefits or other final determination of the claim it files with the child's insurance carrier.
 - 4) In all instances when an insurance carrier has been billed for EI services, whether paid in full, paid in part, or denied by the carrier, the provider must provide the central billing office, within 90 days after receipt, a copy of the explanation of benefits form and other required information.
 - 5) When the insurance carrier has denied the claim or paid an amount for the EI service billed that is less than the current State rate for EI services, the provider shall submit the explanation of benefits with a claim for payment, and the Department shall pay the provider the difference between the sum actually paid by the insurance carrier for each unit of service provided under the IFSP and the current State rate for EI services.
 - 6) The State shall also pay the family's co-payment or co-insurance under its plan, but only to the extent that those payments plus the balance of the claim do not exceed the current State rate for EI services.
 - 7) The provider may under no circumstances bill the family for the difference between its charge for services and that paid by the insurance carrier or by the State.
- k) Allow the Department to recoup money improperly submitted to provider by:
- 1) offset from future reimbursements; or
 - 2) submitting repayment in full or in installments negotiated with the Department.
- l) Participate in routine monitoring and supervision activities as set forth by the Department, including self-assessment, on-site monitoring, data collection and

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

reporting obligations, record reviews, financial audits, complaint investigation, and consumer satisfaction surveys.

- m) Comply with any and all federal and State statutes and regulations, policies, guidelines, directives and procedures, including but not limited to those listed in Section 500.45(c)(~~713~~), and others that are applicable to the services being provided.
- n) Provide services and communications to clients in a language or mode of communication understood by the client. If necessary, interpreters may be used.
- o) Be knowledgeable about and inform families of their rights and procedural safeguards, including requirements ~~as~~ set forth in IDEA (20 USC 1439 and 34 CFR 303.400 et seq.), and comply with those rights and procedural safeguard requirements.
- p) Make himself/herself available as required for Due Process Hearings, Mediation and State Complaint~~administrative hearings, complaint proceedings~~ or legal proceedings involving services under this Part.
- q) Assist as required in maintaining the child's EI record at the regional intake entity.
- r) The evaluators/assessors shall meet criteria as set forth in this Part.
 - 1) Evaluators/assessors shall attend additional training as set forth by the Department and shall agree in writing to operate within the framework of the DHS EI philosophy and best practices, prior to being authorized to perform and bill for evaluations and assessments.
 - 2) In order to be paid for an evaluation/assessment, evaluators/assessors shall meet all deadlines for submitting evaluations/assessments as set forth in this Part and in the EI Early Intervention Service Provider Agreement.
 - 3) Evaluators/assessors shall participate in the IFSP meeting, for which they will be reimbursed. The meeting shall be held within 45 days after the child is referred to the system, unless there is a delay over which they have no control.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

SUBPART D: FINANCIAL MATTERS

Section 500.125 Payor of Last Resort

~~EI~~Early intervention program money provided to the State under Part C may not be used to satisfy a financial commitment for services that would otherwise have been paid for from another public or private source had Part C not been enacted. Part C funds may be used only for services that a child is not otherwise entitled to, with existing Inter-Agency Agreements, under any other federal ~~or~~ State, ~~local or private~~ source (including, but not limited to, the Division of Specialized Care for Children (Title V) program, Medicaid (Title XIX), the State Child Health Insurance Program (Title XXI), and with parental consent, other public or private sources (including but not limited to the Division of Specialized Care for Children (Title V) program and private insurance or children not yet enrolled in Medicaid (Title XIX) and the State Child Health Insurance Program (Title XXI)). Nothing contained in ~~this~~the Part shall authorize or require the Department to provide payment for services or devices that fall within the criteria outlined in this Section, would otherwise be paid by All Kids or any other insurance plan or policy or third party payor.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.130 Family Fee/Insurance

- a) A statewide sliding fee schedule shall be established by the Department and updated annually for direct EI services and assistive technology devices set forth in Section 500.55, except for those services that are required to be provided at no cost to families, including evaluation and assessment, service coordination, IFSP development and review, and procedural safeguards. (See Appendix A.)
- b) Each family's fee obligation shall be established annually. Family participation fees will be billed and collected in installments through the centralized billing system. Families that fail to provide requisite income information will be charged the maximum amount on the sliding scale. Families shall not be required to pay more in annual fees than the cost of EI services and assistive technology devices received during the year and paid by the EI system. At the written request of the family, the fee obligation shall be adjusted prospectively at any point during the year upon proof of change in family income or family size.
- c) With parental consent, familiesParents shall have their private insurance billed for

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

services and devices set forth in Section 500.55, except for those services and devices that are required to be provided at no cost to the families.

- d) Recipients of medical assistance under Article V of the Illinois Public Aid Code or the Children's Health Insurance Program Act and WIC Program recipients shall not be charged an EI family participation fee. Parents of children eligible for Medicaid shall be encouraged but not mandated to enroll their children with Medicaid so Medicaid funds can be accessed for EI services and devices.
- e) The State's definition of ability to pay compares a family's household size and income to the sliding scale found in Appendix A and considers excessive out-of-pocket medical/disaster expenses. A family meets the definition of ability to pay if the family falls within the scale and does not have excessive, proven out-of-pocket medical expenses. Medical expenses must be expenses identified by the Internal Revenue Service as allowable deductions, and disaster expenses must be directly related to fire, flood or other act of nature. A family meets the definition of inability to pay if the family does not fall within the scale or does fall within the scale but has excessive proven out-of-pocket medical/disaster expenses exceeding 15% of income. No one shall be denied services based on inability to pay.
- ~~f) Families with insurance coverage, whether public or private, shall incur no greater or less direct out-of-pocket expenses for EI services than families who are not insured.~~
- ~~f)g) Exemptions:~~
- 1) A family may request exemption through the regional intake entity from the family participation fee due to documentation of catastrophic circumstances or extraordinary expense, by showing either:
- A) current (within 12 calendar months) out-of-pocket medical expense in excess of 15% of gross income; or
- B) current (within 12 calendar months)~~a disaster such as fire, flood, or tornado causing direct~~ out-of-pocket ~~losses~~loss in excess of 15% of gross income caused by disaster, such as fire, flood or tornado.
- 2) A family that consents to insurance may request exemption through the

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

regional intake entity from insurance use upon documentation showing a material risk of losing coverage because:

- A) the insurance plan/policy covering the child is an individually purchased policy/plan purchased by a head of household who is not eligible for group medical insurance; or
 - B) the insurance plan/policy has a lifetime cap that applies to one or more specific types of Early intervention services specified in the IFSP that coverage could be exhausted during the period covered by the service plan. The exemption will only apply to the Early intervention service and/or plan or policy for which there is a showing of material risk of loss of coverage.
- 3) Regional intake entities shall submit requests for exemptions to the Department or its designee on the day that they are received, and the Department or its designee shall decide within 10 business days whether to grant the exemption and notify the regional intake entity to inform the family.
- g)h) A parent wishing to contest his/her family participation fee assessment should contact the regional intake entity as soon as possible. The family who wishes to contest the imposition of the family participation fee may request Mediation~~mediation or an administrative resolution~~ under Section 500.145 or a Due Process Hearing under Section 500.140 or file a State Complaint under Section 500.170. Such request shall be made as soon as possible but at least within 30 days after notice of the fee assessment.
- h) The State will not use the public Medicaid benefits or insurance of a child to pay for Part C services without written notification to the family (see subsection (h)(3)). The State will also meet the no-cost protections identified in subsections (h)(1) and (h)(2).
- 1) Parents of children eligible for Medicaid shall be encouraged, but not mandated, to enroll their children with Medicaid so Medicaid funds can be accessed for reimbursement for EI services and devices. Parental consent must be obtained to use public benefits of a child or parent that is not already enrolled in such a program.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 2) Consent must be obtained prior to using a child's parents' public benefits to pay for EI services or devices if that cost would:
 - A) Decrease available lifetime coverage or any other benefit for the child or parent.
 - B) Result in the family paying for services that would otherwise be covered by the public benefits plan.
 - C) Result in any increase in premiums or discontinuation of the public benefits plan for the child or parents.
 - D) Risk loss of eligibility for the child or parents for home and community-based waivers based on aggregate health-related expenditures.
- 3) Prior to using a child's or parent's public benefits or insurance, the State will provide written notification to the family that includes a statement:
 - A) That parental consent must be obtained before the personally identifiable information (PII) of the child or parent is sent to the State's agency responsible for the administration of the State's public benefits program for billing purposes;
 - B) Of the no-cost protection provisions described in subsections (h)(1) and (h)(2) and, if the parent does not provide consent, that Part C services the parent has consented to receive will be included in the IFSP;
 - C) Of the parental right to withdraw at any time consent to disclose PII to the State's public benefits program; and
 - D) Of the general categories of cost the parent would incur as a result of participating in the public benefits program (such as co-payments or deductibles, or required use of private insurance benefits as primary insurance).
- 4) If a parent is required to pay any costs outlined in subsection (h)(3)(D), the State can only charge those costs to the parent if the State provides the

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

parent with a statement of the State's system of payments and fees as outlined and included in the Child Family & Connection (CFC) Procedure Manual at www.dhs.state.il.us/ei and provides the parent with notification pursuant to subsection (h)(3).

- i) The State will not use the private insurance benefits of a parent or child unless the parent provides consent, including the use of private insurance when such use is a prerequisite for the use of public benefits or insurance as outlined in 34 CFR 303.520(b).
 - 1) Consent is required:
 - A) When seeking to use the private insurance benefits to pay for EI services under the IFSP; and
 - B) Each time IFSP services change or increase (frequency, length, duration or intensity).
 - 2) If the State requires payment from the parent for any costs incurred as a result of the use of the private insurance to pay for EI services (such as co-payments, deductibles), the State will identify any potential costs in the State's system of payments and fees; otherwise, the State must not charge the parent these costs.
 - 3) When obtaining consent, the parent shall be provided a copy of the State's system of payments and fees, as directed in the CFC Procedure Manual, identifying potential costs when using private insurance for EI services (such as co-payments, premiums or deductibles and other long-term costs such as loss of benefits because of annual or lifetime health insurance coverage caps).
 - 4) The parental consent is not required if the State has enacted State statute regarding private health insurance coverage that expressly provides that:
 - A) The use of private health insurance cannot count towards or result in loss of benefits due to annual or lifetime coverage caps for the infant or family; and
 - B) The use of private health insurance cannot be the basis for

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

increasing the health insurance premiums of the infant or family.

- 5) If a State statute has been enacted pursuant to subsection (i)(4), the State will establish a new baseline of State and local expenditures under 34 CFR 303.225(b) in the next federal fiscal year following the effective date of the statute.
- 6) The State must not delay or deny services if a parent meeting the definition of inability to pay does not consent to use of private health insurance to pay for EI services.
- j) A statement of the State's system of payments and fees, as provided in the CFC Procedure Manual, shall be given to the family in writing, specifying which functions or services, if any, are subject to fees. The statement shall include:
 - 1) Assurances that:
 - A) Fees will not be charged to parents for services that the child/family is entitled to receive at no cost to families;
 - B) The inability of the parents to pay for services will not result in a delay or denial of services if the parent meets the State's definition of inability to pay so that the services must be provided at no cost;
 - C) Families will not be charged any more than the actual cost of the service (factoring in payment from other sources for that service); and
 - D) Families with public benefits or private insurance will not be charged disproportionately more than families who do not have public benefits or private insurance.
 - 2) Provisions that failure to provide requisite income information and documentation may result in a charge of a fee on the schedule and that the fee will equal the highest monthly installment.
 - 3) Provisions of paying costs such as co-payments and deductibles.
- k) The following functions are required at no cost to the child or family:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Child find requirements;
 - 2) Evaluation and assessment and functions related to evaluation and assessment;
 - 3) Service Coordination services; and
 - 4) Administrative and coordinative activities related to:
 - A) IFSP development, review and evaluation for IFSP and Interim IFSP.
 - B) Implementation of procedural safeguards and other components of the statewide system of EI services.
- l) Fees or costs collected from a parent or family to pay for EI services under the system of payments and fees are program income and must be used for the purposes of the grant under Part C of IDEA.
- m) Funds received from the family participation fees are considered program income under 34 CFR 80.25. These funds:
- 1) Are not deducted from the total allowable costs charged under Part C of IDEA;
 - 2) Must be used for the State's Part C EI services program; and
 - 3) Are considered neither State nor local funds under 34 CFR 303.225(b).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

SUBPART E: PROCEDURAL SAFEGUARDS/CLIENT RIGHTS

Section 500.135 Minimum Procedural Safeguards

- a) The following minimal procedural safeguards are required by IDEA, regarding Part C ~~E~~early intervention services:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) The timely administrative resolution of complaints by parents and the right to bring civil action with respect to the complaint in State or federal court, consistent with Section 500.140;
- 2) The right to confidentiality of personally identifiable information, including the right of parents to written notice and written consent to exchange of information among agencies, consistent with federal and State law, consistent with Section 500.150;
- 3) The right of the parents to determine whether they, their child or other family members will accept or decline any ~~E~~early intervention service under this Part without jeopardizing other ~~E~~early intervention services under this Part, consistent with Section 500.155;
- 4) The opportunity for parents to examine records relating to evaluation, screening, eligibility determination, and the development and implementation of the ~~IFSP, consistent with Section 500.150~~ Individualized Family Service Plan;
- 5) Procedures to protect the rights of the child when the parents are not known or cannot be found, or the child is a ward of the State, including the assignment of an individual (who is not an employee of a State agency, a family member or an ~~E~~early intervention services provider) to act as a surrogate, consistent with Section 500.160;
- 6) Written prior notice to the parents of the child when the State agency or service provider proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or placement of the child in, or the provision of, appropriate ~~E~~early intervention services, consistent with Section 500.165;
- 7) Procedures designed to ensure that the written prior notice in subsection (a)(6) fully informs the parents in the parents' native language, consistent with Section 500.155 ~~unless it is clearly not feasible to do so, of all procedures available as set forth in this Section~~;
- 8) The right of parents to use Mediation under Section 500.145, file a State Complaint under Section 500.170 or request a Due Process Hearing under Section 500.140, ~~mediation~~ in accordance with IDEA (20 USC 1439(a)(6)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~through (7))~~(8).

- b) Regional intake entities and other providers of Part C ~~E~~early intervention services shall not violate the procedural safeguards and rights set forth in subsection (a). Furthermore, to the extent that they participate in any activity requiring procedures and rights in subsection (a), they shall comply with those procedures, assure the protection of those rights, and give clients timely and effective notice of those rights.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.140 Request for a Due Process Hearing~~Administrative Resolution of Complaints By Parents~~

- a) Who May File: The parents of a child between birth ~~and to~~ 36 months, a provider, a regional intake entity or the Department (Complaining Party)~~or a public agency (as defined at 34 CFR 303.21(2007))~~ may submit a Request for Due Process Hearing~~request an impartial administrative proceeding~~ to resolve a dispute regarding the evaluation, identification, placement, delivery of services, or provision of appropriate services for their child (or if a public agency, for a child for whom it has responsibility).
- b) Where to Send: A Request for Due Process Hearing form~~request for an impartial administrative proceeding (also called "complaint", "request for hearing" or "request for resolution")~~ shall be used and submitted~~made~~ in writing to the Department at:

Chief
Bureau of Administrative Hearings
Illinois Department of Human Services
~~401 S. Clinton, 6th Floor~~100 S. Grand Avenue East~~—3rd Floor~~
Chicago~~Springfield~~, Illinois 60607~~62762~~

~~with~~With copies~~a copy~~ to the regional intake entity serving the child and to:

Part C Coordinator~~Chief~~
EI Program~~Bureau of Early Intervention~~
Illinois Department of Human Services
823 East Monroe~~222 South College~~, 2nd Floor

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Springfield, Illinois ~~62701~~62704-1958

- c) The ~~Request for Due Process Hearing~~ ~~complaint~~ shall be confidential and only used for purposes of resolution of the dispute and as agreed to by the child's parents. ~~The Request for Due Process Hearing shall include:~~ What Must be Included:
- 1) ~~the name of the child;~~ The complaint requesting the hearing shall include:
 - 2) ~~the address of the residence of the child;~~
 - 3) ~~the name of the provider serving the child;~~
 - 4) ~~in the case of a homeless child, available contact information for the child and the name of the provider serving the child;~~
 - 5) ~~a description of the nature of the problem of the child relating to the proposed or refused initiation or change, including facts relating to the problem;~~
 - 6) ~~a proposed resolution of the problem to the extent known and available to the party at the time;~~
 - 7) ~~A) the name, address, and telephone number of the child's parent, of the person making the request for the proceeding, if it is someone other than the child's parent, and of the child, or, if no address, other available contact information;~~
 - 8) ~~B) the name of the child and the child's date of birth;~~
 - 9) ~~C) the name and address of the child's regional intake entity;~~
 - ~~D) a description of the nature of the problem of the child relating to the proposed or refused initiation or change, including facts relating to the problem;~~
 - 10) ~~E) authorization for release of the child's Early intervention service records to the Department and the hearing officer;~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~F) the remedy being sought or proposed resolution of the controversy to the extent known and available to the parents at the time;~~

~~11)G) the nativeprimary language spoken by the parents; and~~

~~H) the service delivery agency and/or providers involved in the dispute; and~~

~~12)H) evidence supporting the remedy or proposed resolution (i.e., IFSP, family fee calculation form, bill payment, etc.).~~

~~The complaint shall be confidential and only used for purposes of resolution of the dispute and as agreed to by the child's parents.~~

- d) Determination of Sufficiency: A Complaining Party may not have a Due Process Hearing until the Complaining Party or the attorney representing the Complaining Party files a request for hearing containing all the information listed in subsection (c)(1) through (12). The Request for Due Process Hearing form shall be used, but the request will not be denied if the information is otherwise provided in writing. If the Responding Party deems the request insufficient, it shall notify the hearing officer and the Complaining Party in writing within 15 calendar days after receipt of the request. The hearing officer shall make a determination on the face of the notice as to whether or not it is sufficient, within five calendar days after receipt of the notification, and shall notify the Complaining Party, the Responding Party and the Department in writing after that determination. Within 10 days, the Responding Party shall send to the Complaining Party a response that specifically addresses the issues raised in the Request for Due Process Hearing.
- e) Child's Record to Department: The regional intake entity shall disclose the complete record of the child to the Department within five calendar days after receipt of the Complaint requesting a proceeding in accordance with this Section.
- f) Content and Assurance of Prior Notice: If "prior written notice" pursuant to CFR 303.421 was not provided to the parent regarding the subject matter of the parent's request for a Due Process Hearing

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~hearing~~, the regional intake entity shall send the parent a response within ten calendar days after receiving the ~~Complaint~~~~complaint~~. This response shall not preclude the assertion that the parent's request for hearing is insufficient, where appropriate. The response shall include:

- 1) ~~an~~~~A~~ explanation of why the ~~regional intake entity or payee/provider~~~~agency~~ proposed or refused to take the action raised in the ~~Complaint~~~~complaint~~;
 - 2) ~~a~~~~A~~ description of other options the IFSP team considered and the reason why those options were rejected;
 - 3) ~~a~~~~A~~ description of the evaluation procedure, assessment, record or report the agency used as the basis for the proposed or refused action; and
 - 4) ~~a~~~~A~~ description of factors relevant to the ~~regional intake entity or payee's/provider's proposed~~~~agency's proposal~~ or ~~refused action~~~~refusal~~.
- g) Amendment of Request: A ~~Complaining Party~~~~party~~ may amend its ~~Request for Due Process Hearing~~~~request for hearing~~ if the other ~~Responding Parties~~~~parties~~ consent in writing to the amendment and are given the opportunity to resolve the complaint through a resolution meeting as described in subsection (h), or if the hearing officer grants permission no later than five business days before ~~the Due Process Hearing~~~~an administrative hearing~~ occurs. The timelines for the resolution meeting, described in subsection (h), and for resolution of the hearing request, begin anew with the filing of the amended request.
- h) Resolution Period: Upon receipt of a sufficient ~~Request for Due Process Hearing~~~~request for hearing~~, the ~~Department must~~~~regional intake entity will~~ convene a resolution meeting with the parent and the relevant member or members of the IFSP Team who have specific knowledge of the facts identified in the ~~Complaint~~~~complaint~~, and with a Department representative if necessary. ~~The parent and the Department must determine the relevant members of the IFSP team to attend the meeting.~~ The purpose of this meeting is to provide the parents with an opportunity to resolve the complaint.
- 1) The resolution meeting must be held within 15 calendar days after receipt of the request for hearing.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 2) The resolution meeting must include a representative who is authorized to make decisions on behalf of each party.
- 3) ~~The Department~~A party may not be represented by an attorney at the resolution meeting unless the parent is accompanied by an attorney.
- 4) If ~~a resolution to the parties are able to resolve~~ the dispute is reached during the resolution meeting, the parties shall execute a legally binding agreement that is signed by both the parent and the Department shall execute a ~~other party representatives and that is enforceable~~ document that is enforceable in any State court of competent jurisdiction or in a district court of the United States.
- 5) ~~The Department or the parent~~A party may void this agreement within three business days after the agreement's execution.
- 6) Though recommended, the resolution meeting is not mandatory if the Complaining Party and the Responding Party~~parent and parties~~ agree to waive it or agree to use Mediation~~mediation~~.
 - i) Mediation Option: Upon receipt of a Request~~request~~ for Due Process Hearing~~hearing~~, the parent and the Department may agree to Mediation~~parties involved in the dispute shall be offered the option of mediation~~ as set forth in Section 500.145.
 - j) Services During Proceeding: During the pendency of the Due Process Hearing~~any proceeding involving a complaint~~, unless the parent and the Department agree otherwise, the child must continue to receive the appropriate Part C EI services identified in the most recent IFSP to which the parents consented~~currently being provided~~. If the Request for Due Process Hearing~~complaint~~ involves application for initial Part C services, the child must receive those services that are not in dispute.
 - k) Free and Low-Cost Services: The parent shall be informed of free or low cost legal and other related services available in the area if the parent requests that information or the parent, provider, regional intake entity or Department~~or agency~~ initiates a resolution under these provisions~~this Section~~. Regional intake entities shall maintain the~~that~~ information and make it available upon request or if a proceeding is initiated under this Section.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- l) Hearing Officer: Upon ~~receipt of a Request for Due Process Hearing, written request for an impartial proceeding,~~ the Department shall appoint an impartial hearing officer. The Department shall maintain a list of hearing officers ~~that includes a statement of the qualifications of each person hearing Due Process complaints.~~ An impartial hearing officer must:
- 1) be licensed to practice law in Illinois;
 - 2) have knowledge about the provisions of IDEA Part C and the Illinois ~~E~~Early Intervention Services System Act, the needs of eligible children and their families, and services available to them ~~under those statutes;~~
 - 3) not be an employee of the Department or a State educational agency, LEA or private service provider involved in the provision of ~~E~~early intervention services or care of the child; ~~and~~
 - 4) not have a personal or professional interest that would conflict with his/her objectivity in implementing the process.
- m) Time Limit to File: ~~A Request for Due Process Hearing must~~ ~~Complaints under this Part shall~~ be submitted to the Department as soon as possible, but at least within three months ~~after the date when~~ ~~after~~ the complainant knew or should have known about the alleged ~~action that forms the basis of the complaint~~ ~~activity in dispute.~~ This timeline does not apply during any period of time that the parent was prevented from ~~requesting the hearing~~ ~~filing a complaint~~ due to:
- 1) specific misrepresentations by the ~~Department, provider or~~ regional intake entity that ~~it had resolved~~ the problem ~~forming the basis of the complaint has been resolved;~~ ~~or, or during the withholding of information from the parent that is required to be provided under this Part.~~
 - 2) ~~the Department, regional intake entity or provider withholding information from the parent that is required to be provided to the parent.~~
- n) ~~Parties: Organizations and/or providers and/or individuals with whom the complainant has a dispute shall be parties to the proceeding as deemed necessary by the impartial hearing officer in order to resolve the dispute.~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- ~~n)Ⓣ~~ 30-Day Resolution Period Prior to Hearing: If the ~~Department~~regional intake entity has not resolved the complaint to the satisfaction of the parent within 30 days after the receipt of the ~~Request for Due Process Hearing~~request for hearing, the hearing may occur and the 45-day timeline for resolution of the complaint by the hearing officer begins. This 30-day time period will be delayed by any length of time the parent fails to participate in the resolution meeting, unless the ~~Department and the parent~~parties have jointly agreed to waive the resolution meeting or to use ~~Mediation~~mediation.
- ~~o)Ⓢ~~ Parent or Regional Intake Entity Non-participation: If the ~~Department~~regional intake entity is unable to obtain participation of the parent in the resolution meeting after reasonable efforts have been made and documented, the hearing officer may dismiss the complaint. If the ~~Department~~regional intake entity fails to hold the resolution meeting within 15 days after receiving notice of the complaint or fails to participate in the meeting, the parent may request the hearing officer to begin the 45-day timeline for resolution of the complaint.
- ~~p)Ⓣ~~ 45-Day Hearing Resolution Time Period:
- 1) The hearing must be resolved within 45 days, with final decision completed and mailed to the parties. The 45-day time period begins the day after one of the following:
 - A) the parties agree in writing to waive the resolution meeting; or
 - B) a ~~Mediation~~mediation or resolution meeting starts but the parties agree in writing before the end of the 30-day period that no agreement is possible; or
 - C) the parties agree in writing to continue the ~~Mediation~~mediation at the end of the 30-day resolution period, but the parent or regional intake entity later withdraws from the ~~Mediation~~mediation process.
 - 2) The ~~parties~~regional intake entity shall immediately notify the appointed hearing officer and the Department in writing as soon as any of the events described in subsection ~~(pq)~~(1) ~~occurs~~occur.
- ~~q)Ⓢ~~ Setting a Hearing: Within five days after receiving written notification that the 45-day time period for resolution has begun pursuant to subsection ~~(pq)~~(1), the

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

appointed hearing officer shall contact the parties to determine a time and place reasonably convenient to the parties for a hearing and any pre-hearing conferences. The hearing officer shall provide the parties and the Department at least 10 days' written notice of the dates, times, and locations of any pre-hearing conferences and of the hearing.

| ~~r)s~~ Pre-hearing Conference: The hearing officer may conduct a pre-hearing conference either in person or by telephone in order to narrow the issues, determine stipulations by the parties, exchange evidence and names of witnesses, and consider other matters that may aid in efficient disposition of the case. At the conclusion of the pre-hearing conference, the hearing officer will prepare a written report of the conference to be entered into the hearing record memorializing the discussion, any stipulations and orders, and scheduling accommodations made for parties or witnesses.

| ~~s)t~~ Party's Rights: Any party to a hearing has a right to:

- 1) be accompanied (at the party's expense) and advised by counsel and by individuals with special knowledge or training with respect to children with disabilities;
- 2) present evidence and confront, cross-examine, and compel the attendance of witnesses;
- 3) prohibit the introduction of any evidence at the proceeding that has not been disclosed to that party at least five days before the proceedings;
- 4) obtain a written or, at the option of the parent, electronic verbatim record of the hearing; and
- 5) obtain written or, at the option of the parent, electronic findings of fact and decision.

| ~~t)u~~ Parents' Rights: Parents involved in hearings must be given the right to:

- 1) have the child who is the subject of the hearing present;
- 2) open the hearing to the public (hearings shall be closed to the public unless the parent requests them to be open); and

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 3) have the record of the hearing, the findings of fact and decision provided at no cost to the parents.

- ~~u)v~~) Disclosure of Evidence and Witnesses: As soon as possible, but at least five business days prior to the hearing, each party shall disclose to all other parties all evaluations completed by that date and recommendations based on those evaluations that the party intends to use at the hearing, as well as other evidence to be offered at hearing, names of all witnesses and the nature of their testimony, and any other relevant documentation whether or not it will be offered at hearing.
- ~~v)w~~) Barring Evidence and Witnesses: The hearing officer may bar any party failing to comply with subsection (~~u)v~~) from introducing evidence or calling witnesses at hearing that were not produced as required in subsection (~~u)v~~).
- ~~w)x~~) Scope of Hearing: No party shall be allowed to raise issues at the hearing that were not raised in the request for resolution, unless the other parties agree.
- ~~x)y~~) Hearing Office Authority: The hearing officer is authorized to conduct the hearing, administer oaths, issue subpoenas to compel testimony or production of documents, rule on motions, grant continuances, call or examine witnesses, and take such other action as may be necessary to provide the parties with an opportunity to be heard fairly and expeditiously.
- ~~y)z~~) Burden of Proof: At the hearing, the party ~~who requested~~~~requesting~~ the ~~hearing~~~~administrative resolution~~ has the burden of proceeding first and demonstrating by a preponderance of the evidence that the provision or proposed provision of EI services for the child violates the laws or rules governing EI services. Part C, the Act, or this Part.
- ~~z)aa~~) Closing Arguments: Upon completion of the submission of evidence and testimony, parties shall be given a reasonable period of time to present written or oral arguments to complete the process within 45 days.
- ~~aa)bb~~) Substantive Versus Procedural Violations: The hearing officer's determination as to whether the child received appropriate EI services shall be made on substantive grounds. In matters alleging a procedural violation, the hearing officer may find that a child did not receive appropriate EI services only if the procedural

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

inadequacy impeded the child's right to appropriate EI services; or significantly impeded the parent's opportunity to participate in the decision-making process regarding the provision of appropriate EI services; or caused deprivation of developmental benefit. This does not preclude the hearing officer from ordering ~~the Department or payee/provider~~ ~~a regional intake entity~~ to comply with procedural requirements.

~~bb)ee)~~ Hearing Record: The hearing officer shall maintain and prepare a record of the proceeding and shall prepare written findings and a decision that shall be served upon the parties. The record shall contain the request for ~~the an impartial administrative~~ proceeding, evidence submitted at the hearing, a transcript or recording of the hearing, prehearing conference reports, motions, orders and all other material that is part of the record.

~~cc)dd)~~ Findings Made Public: Any and all written findings and decisions shall be transmitted to the Illinois Interagency Council on ~~EI~~ ~~Early Intervention~~ and be made available to the public without personally identifying information.

~~dd)ee)~~ Request for Delay: Either party may request a delay in convening the hearing and/or the pre-hearing conference for good cause. The party requesting the delay shall do so in writing to the hearing officer, with a copy served at the same time to all parties. The requesting party shall set forth the reasons for the request and the hearing officer shall, upon receiving the request, either grant or deny the request, taking into account the right to resolution as set forth in subsection ~~(pq)~~, which may be waived.

~~ee)ff)~~ Appeal: Any party aggrieved by the findings and decision made in the hearing has a right to bring civil action in a State court of competent jurisdiction or in a district court of the United States regardless of the amount in controversy.

~~ff)gg)~~ Calculation of Time: Time periods set forth in this Section are calendar days unless otherwise specified.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.145 Mediation

a) Parties/Purpose

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Any party having a dispute involving any matter under Part C, including the identification, evaluation, or placement of a child for ~~E~~early ~~intervention~~ services, or the provision of ~~E~~early ~~intervention~~ services, may request Mediation to resolve the disputes. Mediation may be used at any time, mediation regardless of whether a request for a Due Process Hearing or a State Complaint is filed, an impartial administrative proceeding has been or will be made. The mediation request may occur ~~prior to or simultaneously with a request for an administrative proceeding and is open to any and all parties (public agencies, private agencies, parents) having standing in the disputes.~~
- 2) ~~One~~The purpose of a Mediation~~mediation~~ process is to provide an alternative to the Due Process Hearing~~impartial administrative resolution as a way to resolve disagreements, between parents and early intervention services personnel.~~ In virtually all cases, it is less costly and less adversarial than a Due Process Hearing~~an administrative proceeding~~. Neither party is asked to abandon its beliefs about the child's ability. Rather, the parties are asked to consider alternatives that could be incorporated into the child's IFSP~~Individualized Family Service Plan~~ and to be aware of the concerns and problems expressed by the other party.

- b) The form, Request for Mediation, shall~~Requests for mediation must~~ be submitted~~made~~ in writing to:

Chief
Bureau of Administrative Hearings
Department of Human Services
401 S. Clinton, 6th Floor~~100 S. Grand Ave. East — 3rd Floor~~
Chicago~~Springfield~~, Illinois 60607~~62762~~

with a copy sent to the regional intake entity serving the child and to:

Part C Coordinator, Bureau of E~~Chief~~
Bureau of Early Intervention
Department of Human Services
823 East Monroe~~222 South College, 2nd Floor~~
Springfield, Illinois 62701~~62704-1958~~

- c) The written request shall include the name and address of the child and of the

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

person requesting ~~Mediation~~mediation, a description of the nature of the problem of the child, including the facts related to the problem, a proposed resolution to the problem, supporting relevant documentation of the facts, and the name and address of service providers.

- d) If a request for ~~a Due Process Hearing~~administrative resolution is made, ~~Mediation~~mediation will be offered. Mediation may not be used to delay or deny ~~a parent's right to a Due Process Hearing~~the right to an administrative resolution or other rights under Part C.
- e) The ~~Mediation~~mediation will be conducted by a qualified and impartial mediator who is trained in effective ~~Mediation~~mediation techniques and who is knowledgeable in laws and regulations relating to ~~E~~early intervention services under Part C. ~~The Department must maintain a list of individuals who meet these criteria and the Department must select mediators on a random, rotational or other impartial basis.~~ A mediator may not be an employee of an agency providing services to the child at issue nor of the Department, nor have a personal or professional ~~conflict of interest~~ ~~that conflicts with the person's objectivity~~.
- f) The ~~Department shall bear the cost of the Mediation process~~mediation is offered ~~at no cost to the parties~~. It must be voluntary by all parties.
- g) The mediator shall assure that a ~~Mediation~~mediation conference is convened and concluded in a timely fashion and in no event later than the ~~Due Process Hearing~~administrative resolution of a complaint under Section 500.140 if one was requested.
- h) The mediator will contact the parties to set a mutually convenient date, time and location for the ~~Mediation~~mediation conference, to answer any questions the parties may have regarding the process, and to request additional information from the parties.
- i) The role of the mediator is that of a neutral facilitator assisting parents and ~~E~~early intervention personnel to resolve their disagreement. Although the mediator is in control of the session, he/she is not the decision maker and may not compel action by either party. The mediator allows the parties to present their positions, establishes an understanding of the disagreement, determines points of agreement, and offers suggestions/proposals for resolution, attempting to help the parties achieve a mutual solution that is in the best interests of the child. The

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

mediator facilitates the process. ~~He or she summarizes positions~~ and may help the parties consider possible alternatives.

- j) If agreement is reached by the parties, it shall be set forth in a written ~~Mediation~~ agreement signed by authorized representatives of the parties to the dispute ~~who have authority to bind the parties. No record is kept of the discussions at the meeting.~~ The ~~Mediation~~ agreement will record only the date of the ~~Mediation~~, the parties to the ~~Mediation~~ and terms agreed upon ~~and the following statement: All discussions that occurred during the Mediation process shall be confidential and may not be used as evidence in any subsequent Due Process Hearing or civil proceeding.~~
- k) Discussions that occur during the ~~Mediation~~ process shall be confidential and may not be used as evidence in any subsequent administrative hearing or civil proceeding. The parties will be asked to sign a confidentiality pledge prior to the commencement of the ~~Mediation~~. Only the fact that ~~Mediation~~ occurred and the terms of any ~~Mediation~~ agreement reached are admissible in subsequent proceedings.
- l) Participants in the ~~Mediation~~ conference should be limited to those necessary to resolution of the dispute and shall include persons authorized to act on behalf of the parties. In determining participants, the parties and mediator should be guided by desire to achieve mutual non-adversarial problem solving with the child's interests and the interests of the EI Services System as the goal.
- m) The parties are expected to approach the ~~Mediation~~ session in good faith and with the intention of attempting to reach an agreement. It is important that all parties approach the session with a willingness to listen and to consider all aspects of the issues in the interests of the child and of the EI Services System. They are active participants in the session and, if agreement is reached, develop the terms of the agreement with the assistance of the mediator.
- n) The ~~Mediation~~ allows an uninterrupted opportunity for both parties to present their views in a non-adversarial setting. It allows parents and ~~EI Programearly intervention program~~ personnel to focus on their common concerns, rather than their differences. Even if an agreement is not reached, there is the potential of both parties leaving the session with an enhanced perspective of the issues, and with a more positive working relationship.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- o) Regional intake entities, ~~Service Coordinators~~~~service coordinators~~ and other participants in the EI Services System shall encourage resolution of disputes by ~~Mediation~~~~mediation~~.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.150 Confidentiality/Privacy

- a) The regional intake entity shall ensure the confidentiality of all PII collected or maintained pursuant to Part C in accordance with FERPA (20 USC 1323(g)), FERPA regulations (34 CFR 99), this Part and IDEA regulations (34 CFR 303.101 through 303.417).
- b) The regional intake entity shall give parents a Confidentiality Notice when a child is referred to Part C services. The Confidentiality Notice shall include:
- 1) a description of the children on whom PII is maintained;
 - 2) the type of information sought;
 - 3) the methods the State intends to use in gathering the information;
 - 4) the sources from whom the information is gathered;
 - 5) the uses of the information;
 - 6) a summary of the policies and procedures the regional intake entity and providers must follow regarding storage, disclosure to third persons, retention and destruction of PII;
 - 7) a description of the rights of parents and children regarding the PII; and
 - 8) a description of the extent to which the notice is provided in native languages in various population groups in the State.

As used in this Section:

- 1) ~~"Destruction" means physical destruction or removal of personal identifiers from information so that the information is no longer personally~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~identifiable.~~

- 2) ~~"Records" means the type of records covered under the definition of education records in 34 CFR 99 (the regulations implementing the Family Educational Rights and Privacy Act of 1974).~~
- 3) ~~"Participating agency" means any local service provider, service coordinator and regional intake entity that collects, maintains, or uses personally identifiable information, or from which information is obtained, under this Part.~~

~~c)b)~~ Access rights:

- 1) Each participating agency shall permit parents to inspect and review any records relating to their children that are collected, maintained, or used by the agency under this Part (including records relating to evaluations ~~or~~ assessments, screenings, eligibility determinations, development and implementation of IFSPs, provision of EI services, individual complaints dealing with the eligible child, and any other area under this Part involving records about the child and the child's family). The agency shall comply with a request without unnecessary delay and before any meeting regarding an IFSP or any Due Process Hearing. In all cases, the regional intake entity shall comply within 10 calendar days after the request has been made. hearing relating to the identification, evaluation, or placement of the child, or the provision of early intervention services to the child, and in no case more than 45 days after the request has been made (consistent with 34 CFR 99.10(b)). If the information is protected health information under HIPAA, the agency shall comply with the request within 30 days if the information is accessible on site, and within 45 days if it is not accessible on site.
- 2) The right to inspect and review records under this Section includes:
 - A) The right to a response from the ~~participating agency~~ local service provider to reasonable requests for explanations and interpretations of the EI records;
 - B) The right to request copies of the records containing the information if failure to provide those copies would effectively

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

prevent the parent from exercising the right to inspect and review the records; and

C) The right to have a representative of the parent inspect and review the EI records.

3) A participating agency may presume that the parent has authority to inspect and review records relating to his or her child unless the agency has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.

~~4) The agency shall also comply with the provisions regarding access of HIPAA protected health information as set forth in 45 CFR 164.524, particularly provisions regarding grounds for denial, reviewability of denial, notice of denial, required review by a licensed health care professional, and notice and existence of a complaint procedure.~~

~~d)e) Record of access/Accounting of disclosure
Each participating agency shall keep a record of personsparties obtaining access to records collected, maintained, or used under this Part (except access by parents and authorized employees of the participating agency), including the name of the personparty, the date access was given, and the purpose for which the personparty is authorized to use the records. ~~At the parent's request, each participating agency shall also provide an accounting of disclosures of a child's HIPAA protected health information that have been made in the past six years, as required in 45 CFR 164.528 (exceptions are provided in Section 164.528 for various disclosures).~~~~

~~e)d) Records on more than one child
If any record includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.~~

~~f)e) List of types and locations of information
Each participating agency shall provide parents on request a list of the types and locations of records collected, maintained, or used by the agency.~~

~~g)f) Fees~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) The parents shall be provided, at no cost, a copy of each evaluation, assessment of the child, family assessment and IFSP as soon as possible after each IFSP meeting.
- 2) Each participating agency may charge a fee for copies of records that are made for parents under this Part if the fee does not effectively prevent the parents from exercising their right to inspect and review those records, except as provided in subsection (g)(1).
- 3)2) A participating agency may not charge a fee to search for or to retrieve information under this Part.

h)g) Amendment of records at parent's request

- 1) A parent who believes that information in the records collected, maintained, or used under this Part is inaccurate or misleading or violates the privacy or other rights of the child may request the participating agency that maintains the information to amend the information.
- 2) The agency shall decide whether to amend the information in accordance with the request within five business~~60~~ days after ~~its receipt of~~ the request. If the agency ~~denies or is unable to act on~~ the request to amend the records, the agency must: within 60 days, the agency may extend the time for its response by no more than 30 days, provided that the agency, within 60 days after its receipt of the request, provides the individual with a written statement of the reasons for the delay and the date by which the agency will complete its action on the request.
 - A) inform the parent;
 - B) advise the parent of a right to an informal hearing; and
 - C) notify the EI Central Office within the five business day time period.
- 3) If the agency decides to refuse to amend the information in accordance with the request, it shall inform the parent of the refusal, and advise the parent of his or her right to a hearing as set forth in subsection (ih).

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

4) ~~The agency shall also comply with the provisions regarding amendments of HIPAA protected health information as set forth in 45 CFR 164.526, particularly the provision regarding denial and regarding notice and provision of a complaint procedure.~~

~~i)h)~~ Hearing regarding records

- 1) ~~The Department~~~~A participating agency~~ shall give the parent an opportunity for a hearing to challenge the content of the ~~EI~~~~agency's~~ records on the grounds that the information in the records is inaccurate, misleading or in violation of privacy rights of the child.
- 2) ~~The Department will set the informal hearing within seven business days after receiving notice of the dispute.~~~~participating agency that generated the record at issue shall hold a hearing within a reasonable time after it has received a hearing request.~~
- 3) The ~~Department~~~~participating agency~~ shall give the parent notice of the date, time and place reasonably in advance of the hearing.
- 4) The hearing may be conducted by an individual, including an official of the participating agency, who does not have a direct interest in the outcome of the hearing. The hearing officer will be designated by the Part C Coordinator.
- 5) The ~~Department~~~~participating agency~~ shall give the parent a full and fair opportunity to present evidence relevant to the grounds of challenge to the records.
- 6) The parent may at his/her own expense be assisted or represented by one or more individuals of choice, including an attorney.
- 7) The ~~Department~~~~participating agency~~ shall make its decision within 10 business days~~a reasonable time~~ after the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reason for the decision.
- 8) If the decision of the ~~Department~~~~agency~~ is that the information challenged

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

is inaccurate, misleading or in violation of the child's privacy rights, the ~~Department~~participating agency shall:

- A) amend the record accordingly; and
 - B) inform the parent of the amendment in writing.
- 9) If the decision is that the challenged information is not inaccurate, misleading or in violation of privacy rights, the ~~Department~~participating agency shall inform the parent of the right to place a statement in the record commenting on the contested information and stating why he or she disagrees with the decision.
- 10) If a statement is placed in the record pursuant to subsection ~~(i)~~(h)(9), the ~~Department~~participating agency shall:
- A) maintain the statement with the contested part of the record for as long as the record is maintained;
 - B) disclose the statement whenever it discloses the contested part of the record; and
 - C) at the parent's written request, disclose the statement to individuals to whom the contested part of the record was previously sent.

~~1)~~ Safeguards:

- 1) Each participating agency shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- 2) Each agency shall require one official to assume responsibility for ensuring the confidentiality of the information.
- 3) All persons collecting or using the information shall be trained regarding confidentiality requirements.
- 4) ~~Each participating agency shall maintain, for public inspection, a current listing of those employees having access to the information.~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.155 Right to Consent

a) As used in this Subpart:

1) "Consent" means that:

- A) The parent has been fully informed of all information relevant to the activity for which consent is sought, in the parent's native language or other mode of communication;
- B) The parent understands and agrees in writing to the carrying out of the activity for which consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; ~~and~~
- C) The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time; ~~and~~
- D) [If a parent revokes consent, that revocation is not retroactive \(i.e., it does not apply to the action that occurred before the consent was revoked\).](#)

2) ["Native language", where used with reference to persons of limited English proficiency, means the language or mode of communication normally used by the parent of a child eligible under this Part;](#)

23) "Personally identifiable" means that information includes:

- A) The name of the child, the child's parent, or other family member;
- B) The address of the child;
- C) A personal identifier, such as the child's or parent's social security number; or
- D) A list of personal characteristics or other information that would

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

make it possible to identify the child with reasonable certainty.

- b) Parental consent
- 1) Written parental consent must be obtained before:
 - A) ~~All evaluations and assessments~~ ~~Conducting the initial evaluation/assessment~~ of a child; and
 - B) Initiating the provision of Eearly intervention services.
 - 2) If consent is not given pursuant to subsection (b)(1), the regional intake entity, the local provider or other participating agency shall make reasonable efforts to ensure that the parent:
 - A) Is fully aware of the nature of the evaluations, assessment ~~evaluation/assessment~~ or ~~the~~ services that would be available; and
 - B) Understands that the child will not be able to receive the evaluations, assessment ~~evaluation/assessment~~ or services unless consent is given.
- c) Right to decline services
The parents of a child eligible under this Part may determine whether they, their child, or other family members will accept or decline any Eearly intervention services under this Part in accordance with State law, and may decline a service after first accepting it, without jeopardizing other Eearly intervention services under this Part.
- d) Right to written consent regarding exchange of information.
- 1) Each regional intake entity, local service provider and participating agency shall obtain consent in writing from parents before they collect, maintain or use records as defined in Section 500.150 regarding eligible children.
 - 2) Each agency shall use the records only for the purpose for which they are collected or maintained.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 3) Each agency shall maintain the records in a confidential, secure manner, allowing access only as required to serve the eligible child as consented to by the parent, and access as described in Section 500.150.
- 4) The exchange of records and any personally identifiable information collected, used, or maintained under this Part is precluded without written notice of and written consent to the exchange of information among agencies consistent with federal and State law, or as otherwise allowed by that law.
- 5) Each agency shall have procedures in writing to ensure compliance with this Section.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.160 Surrogate Parents

- a) The ~~Service Coordinator~~ ~~service coordinator~~ shall request ~~that~~ ISBE ~~to~~ assign an individual to act as surrogate parent of a child who would not otherwise have parental representation, including:
 - 1) Each child under the legal responsibility of the State, meaning that the child is a ward of the Court or a State agency has been designated by the Court as the child's legal guardian or legal custodian with the right to consent for major medical treatment; and
 - 2) Each child for whom no parents can be identified or whose parents' whereabouts cannot be discovered after reasonable efforts.
- b) A foster parent may be appointed as a surrogate if he/she meets the requirements of subsection (d). A foster parent may also act as a parent if:
 - 1) the natural parents' authority to make parental decisions required for ~~E~~early intervention services have been extinguished under State law; and
 - 2) the foster parent has an ongoing, long term parental relationship with the child; is willing to make decisions required of parents in this Part; and has no interest that would conflict with the interests of the child.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- c) Surrogates shall be requested through ~~the ISBE~~Illinois State Board of Education.
- d) Surrogates may be selected in any way permitted by State law, but shall:
- 1) Have no personal or professional interest that conflicts with the interests of the child he or she represents;
 - 2) Have knowledge and skills that ensure adequate representation of the child; and
 - 3) Not be an employee of any State agency or a person or an employee of a person providing Early intervention services, education, car or other services to the child or to any family member of the child. A person who otherwise qualifies to be a surrogate parent under this Section is not an employee solely because he or she is paid by a public agency to serve as a surrogate parent.
- e) A surrogate parent may represent the child in all matters related to:
- 1) The evaluation/assessment of the child;
 - 2) Development and implementation of the child's ~~IFSP~~Individualized Family Service Plan, including annual evaluations and periodic reviews;
 - 3) The ongoing provision of Early intervention services to the child; and
 - 4) Any other rights established under this Part.
- f) The assignment of a surrogate parent at no times supersedes, terminates or suspends the parent's or guardian's legal authority relative to the child.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.165 Written Prior Notice

- a) General
Written prior notice must be given to the parents of a child eligible under this Part a reasonable time before a participating agency proposes, or refuses, to initiate or change the identification, evaluation, or placement of the child, or the provision of

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

appropriate ~~E~~early intervention services to the child and the child's family.

b) Content of Notice

The notice must be in sufficient detail to inform the parents about:

- 1) The action that is being proposed or refused;
- 2) The reasons for taking the action; and
- 3) All procedural safeguards that are available under this Part, including a description of Mediation under Section 500.145, the State Complaint procedure under Section 500.170 and the due process procedures under Section 500.140, including the timelines under those procedures.~~;~~and
- 4) ~~The State complaint procedure under Section 500.170, including a description of how to file a complaint and the timelines under those procedures.~~

c) Native language

- 1) The notice must be written in language understandable to the general public and provided in the native language of the parents or other mode of communication used by the parent, unless it is clearly not feasible to do so.
- 2) If the native language or other mode of communication of the parent is not a written language, the public agency, or designated service provider, shall take steps to ensure that:
 - A) the notice is translated orally or by other means to the parent in the parent's native language or other mode of communication;
 - B) the parent understands the notice; and
 - C) there is written evidence that the requirements of ~~this~~ subsection (c)~~(2)~~ have been met.
- 3) If a parent is deaf or hard of hearing, blind or visually impaired, or has no written language, the mode of communication must be that normally used

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

by the parent (such as sign language, Braille, oral communication or other mode of communication as determined through consultation with the parent).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 500.170 State Complaint Procedure

- a) Individuals or organizations (hereinafter referred to as Complainant) may file a written, signed State Complaint with DHS stating that the Department, a State agency, regional intake entity or payee/provider (hereinafter referred to as Respondent) is violating a law or rule regarding the Part C early intervention program. The form Request for Investigation of State Complaint shall be used and shall include:
- 1) A statement that the Respondent has violated a requirement of Part C of the Act;
 - 2) A recital of facts on which the statement is based;
 - 3) The signature and contact information of the complainant;
 - 4) If violations pertain to a specific child:
 - A) the name of the child and the address of the residence of the child;
 - B) the name of the provider serving the child;
 - C) a description of the nature of the problem of the child, including facts relating to the problem; and
 - D) a proposed resolution of the problem to the extent known and available to the party at the time the Complaint is filed.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- b) A Request for Investigation of a State Complaint shall not be denied if the information required by subsection (a) is otherwise provided in writing.
- cb) State Complaints must be submitted in writing to: The Department shall have 60 calendar days from receipt of the complaint to investigate and issue a written decision to the complainant and interested parties, addressing each allegation in the complaint. During this time, the Department may carry out an independent on-site investigation if deemed necessary and must give the complainant an opportunity to submit additional information, either orally or in writing, about the allegations made in the complaint. Complaints must be submitted in writing to:
- Part C Coordinator, Bureau of EI Chief
Bureau of Early Intervention
Department of Human Services
823 East Monroe 222 South College, 2nd Floor
Springfield, Illinois 62701 62704-1958
- d) The Complainant must forward a copy of the State Complaint to the Respondent at the same time the Complainant files the State Complaint with the Department.
- e) The alleged violation must have occurred not more than one year before the date the State Complaint is received by the Department.
- f) The Department shall have 60 calendar days after receipt of the State Complaint to investigate and issue a written decision to the Complainant and interested parties, addressing each allegation in the State Complaint. During this time, the Department may carry out an independent on-site investigation if deemed necessary and must give the Complainant an opportunity to submit additional information, either orally or in writing, about the allegations made in the Complaint. The Department shall give an opportunity for the Complainant and the Respondent to voluntarily engage in Mediation as set forth in Section 500.145.
- ge) After reviewing all relevant information, the Department must issue a written decision to the Complainant and the Respondent subject of the complaint as to whether the Respondent public agency is violating a requirement of Part C.; The Department shall address addressing each allegation in the State Complaint and include containing findings of fact, as well as conclusions, and the reasons for the Department's final decision.; If the Department determines the Respondent failed to provide appropriate services, the

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Department shall address:

- 1) ~~and, if the complaint was found to be valid,~~ corrective actions required to correct the causes of the ~~Complaint~~complaint, which may include compensatory services or monetary damages; and-
 - 2) whether changes in policy and procedures that impact the future provision of service for children with disabilities and their families is required.
- hd) Final decisions are enforceable and binding. They may be amended only upon agreement in writing between the Department and the ~~Respondent organization or individual upon whom corrective actions are imposed.~~
- ie) ~~The Respondent Organizations or individuals upon whom corrective actions are imposed~~ may request reasonable technical assistance or alternative corrective actions. However, these requests do not change the final decision unless it is amended in writing between the Department and the ~~Respondent party.~~
- jf) The 60 day time period in subsection (~~fb~~) may be extended if exceptional circumstances exist with respect to a particular ~~State Complaint~~complaint.
- kg) The ~~Department lead agency~~ shall monitor implementation of the final decision to determine that corrective actions and timelines have been met.
- lh) ~~The payee/providers Organizations or individuals upon whom corrective actions are imposed~~ may be terminated from participation in Part C programs if corrective actions are not appropriate and/or not met.
- mi) If an issue raised in a written ~~State Complaint~~complaint (or any part of a ~~State Complaint~~complaint) is also the subject of ~~a Due Process Hearing and an administrative resolution~~ under Section 500.140, the Department must set aside any part that is being addressed in a Due Process Hearing under the procedure in Section 500.140 but resolve any other issues within the 60 day timeline.
- nj) If an issue is raised in a written ~~Complaint~~complaint that has already been decided in a ~~Due Process Hearing proceeding under Section 500.140~~, the previous decision is binding and the complainant must be so informed.
- ok) A ~~State Complaint~~complaint alleging failure of ~~the Respondent a public agency or~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~private service provider~~ to implement a decision pursuant to a Request for Due Process Hearing under Section 500.140 must be resolved by the Department.

- p) After completing an investigation, in response to the Complaint, the Department may find that a corrective action plan is not appropriate given the circumstances. With good cause shown that the public interest, safety or welfare may be at risk, the provider's credential and enrollment or Provider Agreement may be immediately terminated pursuant to Section 500.60(q).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 500.APPENDIX C Requirements for Professional and Associate Level Early Intervention (EI) Credentialing and Enrollment to Bill

Nothing in this Appendix C shall exempt any individual from compliance with any and all State licensing requirements and/or supervisory requirements pertinent to the individual's delivery of services.

EI SERVICE

QUALIFIED STAFF

Assistive Technology

Durable medical equipment and supplies; providers may enroll to bill. No credential required.

Audiology, Aural
Rehabilitation/Other Related
Services

Audiologists with a current license in the state where they provide services to Illinois children may enroll to bill. Audiologists are not required to obtain a credential. (Provider is automatically enrolled under assistive technology and aural rehabilitation categories.)

Speech/Language Pathologists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Speech/Language Pathologist credential and enroll to bill for aural rehabilitation services. (Provider is automatically enrolled under aural rehabilitation and speech therapy categories.)

Individuals with a masters in speech-language pathology who are participating in a supervised professional experience and hold a temporary license in the state where they provide services to Illinois children may apply for an EI Associate: Speech/Language Pathologist in supervised professional experience credential. Associate services are billed under the enrolled supervisor's name.

Individuals with a current Special Education degree for Deaf and Hard of Hearing may apply for an EI Specialist: Developmental Therapist/Hearing credential and enroll to bill for aural rehabilitation services. May also provide Developmental Therapy Services. (Provider is automatically enrolled under aural rehabilitation category.)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Clinical Assessment,
Counseling, and Other
Therapeutic Services

Clinical Psychologists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Clinical Psychologist credential and enroll to bill.

Clinical Professional Counselors with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Clinical Professional Counselor credential and enroll to bill.

Marriage and Family Therapists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Marriage and Family Therapist credential and enroll to bill.

Clinical Social Workers with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Clinical Social Worker credential and enroll to bill.

Behavior Analysts with current national certification as a Board Certified Behavior Analyst from the Behavior Analyst Certification Board may apply for an EI Specialist: Behavior Analyst credential and enroll to bill.

Unlicensed individuals employed by school districts as School Psychologists who will only be providing services through their school employment may apply for an EI Specialist: School Psychologist credential.

Graduate students in clinical psychology or clinical counseling who submit a letter from the graduate school verifying that they are providing psychological or clinical counseling services in a supervised internship setting in order to complete a comprehensive, culminating training experience prior to granting of a graduate degree in psychology may apply for an EI Associate: Psychology/Counseling Intern credential. Associate services are billed under the enrolled

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

supervisor's name.

Developmental Therapy

Individuals with an EI Specialist Developmental Therapist credential on January 1, 2004 or who are applying for an EI Specialist Developmental Therapist credential prior to January 1, 2004 must have (1) a minimum of Teacher Endorsement in Early Childhood Education (ECE) or Special Education or bachelors degree in ECE, Early Childhood Special Education, Special Education, or human service field with one year of experience working hands on with children birth to 3 with developmental disabilities (Persons with a degree in a human service field must submit proof of training on the use of a formal assessment tool that would allow the provider to perform global evaluations/assessments.); or (2) a current license in art, music, recreation, or other type of therapy, rehabilitative or habilitative in nature, in the state where they provide services to Illinois children may apply for credential renewal or, prior to January 1, 2004, may apply for an EI Specialist Developmental Therapist credential and enroll to bill.

Individuals who do not hold an EI Specialist Developmental Therapist credential on January 1, 2004 must have a bachelors degree or higher in Early Childhood Education, Early Childhood Special Education, Special Education, Special Education: Deaf/Hard of Hearing or Blind/Partially Sighted, Child Development/Family Studies, [EI/Early Intervention](#), Elementary Education, Developmental Psychology, or Social Work; or with a bachelors degree or higher and a full specialist credential in the [EI Program/Early Intervention program](#); or a current license in art, music, recreation, or other type of therapy, rehabilitative or habilitative in nature, in the state where they provide services to Illinois children; and can document the completion of educational experiences as approved by the Department that include at least 2 semester college hours or the equivalent (30 clock hours or CEU credit hours) in each of the following EI core knowledge content areas: the Development of Young Children; Typical and Atypical; Working with Families of Young Children with

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Disabilities; Intervention Strategies for Young Children with Special Needs; and Assessment of Young Children with Special Needs; and can submit proof of training on the use of a formal assessment tool that would allow the provider to perform global evaluations/assessments may apply for an EI Specialist: Developmental Therapist credential and enroll to bill.

Individuals who do not hold an EI Specialist Developmental Therapist credential on July 1, 2013 may apply for an EI Specialist; Developmental Therapist credential and enroll to bill if they:

(1) have a bachelors degree or higher in Early Childhood, Early Childhood Special Education, Special Education, Special Education: Deaf/Hard of Hearing or Blind/Partially Sighted, Child Development, EI or Elementary Education, or from an EI approved college/university program (i.e., a program for which the Department or its designee has determined that the degree is equivalent to one of the above stated degrees); and (2) can document the completion of educational experiences as approved by the Department that include at least 2 semester college hours of, or the equivalent (30 clock hours or CEU credit hours) in, each of the following EI core knowledge content areas: the Development of Young Children, Typical and Atypical; Working with Families of Young Children with Disabilities; Intervention Strategies for Young Children with Special Needs; and Assessment of Young Children with Special Needs; and (3) can submit proof of training on the use of a formal assessment tool that would allow the provider to perform global evaluations and assessments.

An emergency waiver of educational requirements for developmental therapists may be applied for and must be accompanied by the recommendation of a regional intake entity manager documenting the need for developmental therapy services in the service area. A bachelors degree or higher is required. If approved, the resulting temporary

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

credential will be awarded for a maximum of 18 months. A training plan toward qualification for full credential status must be submitted with the emergency waiver application.

Individuals with a Special Education degree for Deaf and Hard of Hearing may apply for an EI Specialist: Developmental Therapist/Hearing credential and enroll to bill. They may also provide aural rehabilitation services based on their qualifications and experience. (Provider is automatically enrolled under aural rehabilitation category.)

Individuals with (1) a bachelors degree or higher in Orientation and Mobility or (2) a Special Education degree for Blind and Partially Seeing may apply for an EI Specialist: Developmental Therapist/Vision credential and enroll to bill. They may provide Developmental and/or Vision Therapy services related to visual functioning based on their qualifications and experience. (Provider is automatically enrolled under the vision category.)

~~Individuals with an associates degree in early childhood education or child development who have an EI Associate: Developmental Therapy Assistant temporary credential on July 1, 2003 may apply for full associate credential status if additional training requirements are met. No other new temporary or full associate credentials for Developmental Therapy Assistants will be issued. Individuals who have an associate credential will be allowed to submit an application to have their credential renewed no more than two times after July 1, 2003. Associate services are billed under the enrolled supervisor's name.~~

Evaluation/Assessment

Individuals with a current ~~EI Full~~Early Intervention Specialist credential and who also meet all the following requirements may apply for an Evaluation/Assessment credential:

Documentation of a minimum of three years (full time equivalent) pediatric experience within the ~~EI~~Early Intervention Specialist credentialed discipline is

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

required with no less than 20% of that experience ([750 direct service hours](#)) related to infants and toddlers between birth and three years of age or the equivalent, with a minimum of one year (full time equivalent) pediatric experience within the [EI Early Intervention Specialist](#) credentialed discipline with no less than 60% of that experience ([750 direct service hours](#)) related to infants and toddlers;

Documentation of a minimum of six months pediatric post degree supervision;

Demonstration of [training competency](#) in using and interpreting a variety of approved assessment tools related to his/her discipline by participating in evaluator specific training;

~~[Agreement](#)~~ ~~Demonstration of past work as a member of a service team and agreement~~ to work with the [Service Coordinator](#) ~~service coordinator~~, other evaluators, and the family as an effective team member;

Agreement to participate in IFSP meetings as specified in this Part;

Agreement to perform evaluation/assessments and present recommendations thereon, that are consistent with DHS [EI early intervention](#) philosophy and best practices, and to provide adequate justification for recommendations based thereon;

Agreement to participate in routine quality assurance and/or [EI early intervention](#) monitoring activities conducted by the Department or its Designee, or the U.S. Department of Education, Office of Special Education Programs;

Agreement to comply with all applicable federal

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

and/or State laws, rules, regulations, policies, provider agreement and procedure and guidelines;

Documentation of [completion of the EI Systems Training that includes evaluation/assessment and evaluation/assessment attendance at Evaluation/Assessment](#) training as required and provided by the Department [in other formats](#).

The expiration date of an Evaluation/Assessment credential will coincide with the [EIEarly Intervention](#) Specialist discipline specific credential. Renewal of the Evaluation/Assessment credential is contingent on the successful renewal of the [EIEarly Intervention](#) Specialist discipline specific credential.

Family Training and Support

Individuals with a high school diploma or equivalent who are the parent or guardian of a child with special needs and are employed by an entity such as an agency or hospital that provides [EIEarly intervention](#) services as a Parent Liaison may apply for an EI Parent Liaison credential and enroll to bill. Completion of Parent Liaison Training is required within 90 days after being issued a temporary credential for full credential status and continued enrollment.

Individuals who are bilingual or an interpreter for the deaf may enroll to bill as an interpreter. Upon application for enrollment, the bilingual applicant must identify the languages for which he/she is applying to interpret and/or translate and document completion of [EIEarly Intervention](#) Systems Training as defined in Section 500.60(f) and training for bilingual interpreter/translators as required and provided by the Department and oral and/or written language proficiency demonstrated through testing procedures as required and provided by the Department or through documentation of a nationally recognized certification based upon comparable proficiency testing procedures. Oral and/or written proficiency testing procedures test the language skills of a written translator and oral interpreter for comprehension

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

of the source language and the extent that translated and/or interpreted text/speech conveys the full meaning of the source language. In addition, the proficiency testing for the written translator determines if the translated text is coherent and grammar, punctuation, spelling, syntax, usage and style are appropriate. By January 1, 2009, all enrolled bilingual interpreters must have documented completion of [EIEarly Intervention](#) approved training for bilingual interpreters/translators and oral and/or written language proficiency demonstrated through testing procedures as required and provided by the Department or through documentation of a nationally recognized certification based upon comparable proficiency testing procedures to maintain enrollment. Prior to January 1, 2009, interpreters for the deaf must meet the requirements set forth in the Interpreters for the Deaf Act [225 ILCS 442] and on or after January 1, 2009 must comply with the licensure requirements set forth in the Interpreter for the Deaf Licensure Act of 2007 [225 ILCS 443] or the licensure, certification or screening requirements in the state where services are provided to children if not in Illinois, and document completion of [EIEarly Intervention](#) Systems Training as defined in Section 500.60(f).

Deaf adults who have been certified by Hearing and Vision Connections as a language mentor for the deaf may enroll to bill. Language mentors are not required to obtain a credential

Health Consultation

Physicians with a current license in the state where they provide services to Illinois children may enroll to bill. Physicians are not required to obtain a credential.

Medical Services
(Diagnostic/Evaluation
Purposes Only)

Physicians with a current license in the state where they provide services to Illinois children may enroll to bill. Physicians are not required to obtain a credential.

Individuals on the physician's service team should refer to the service area appropriate to their discipline for credentialing requirements.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Nursing	Registered Nurses with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Registered Nurse credential and enroll to bill. (Provider is automatically enrolled under nutrition category.)
Nutrition	Licensed Dietitian Nutritionists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Dietitian credential and enroll to bill. Registered Nurses with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Registered Nurse credential and enroll to bill.
Occupational Therapy	Occupational Therapists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Occupational Therapist credential and enroll to bill. Certified Occupational Therapy Assistants with a current license in the state where they provide services to Illinois children may apply for an EI Associate: Licensed Certified Occupational Therapy Assistant credential. Associate services are billed under the enrolled supervisor's name.
Physical Therapy	Physical Therapists with a current license in the state where they provide Part C EI service to Illinois children may apply for an EI Specialist: Licensed Physical Therapist credential and enroll to bill. Physical Therapist Assistants with a current license in the state where they provide services to Illinois children may apply for an EI Associate: Licensed Physical Therapist Assistant credential. Associate services are billed under the enrolled supervisor's name.
Service Coordination	Individuals with an EI Service Coordination credential on

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

January 1, 2003 and: (1) an EI Specialist credential of any type, (2) a bachelors degree or higher in human services, behavioral science, social science or health related field, (3) a current license as a Registered Nurse, (4) current employment as a [Service Coordinator](#)~~service coordinator~~ in a Family Case Management Agency, or (5) an associates degree in human services, education, behavioral science, social science, or health related field plus 2 years of experience working with children birth to 5 to provide intervention services or service coordination in a community agency serving children and families, may apply for renewal of their credential.

Individuals who do not hold an EI Service Coordination credential on January 1, 2003 and with a bachelors degree or higher in human services, behavioral science, social science or health related field or a current license as a Registered Nurse may apply for an EI Service Coordination Credential and enroll as an employee of a Child and Family Connections office. Additional training is required within 90 days after being issued a temporary credential for full credential status and continued enrollment.

Social Services

Social Workers with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Social Worker credential and enroll to bill.

Professional Counselors with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Professional Counselor credential and enroll to bill.

Unlicensed individuals employed by school districts as School Social Workers who will only be providing services through their school employment may apply for an EI Specialist: School Social Worker credential and enroll to bill.

Graduate students in social work who submit a letter from their graduate school verifying that they are providing social

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

work services in a supervised internship setting in order to complete a comprehensive, culminating training experience prior to granting of a graduate degree in social work may apply for an EI Associate: Social Work Intern credential. Associate services are billed under the enrolled supervisor's name.

Speech Therapy

Speech/Language Pathologists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Speech/Language Pathologist credential and enroll to bill. (Provider is automatically enrolled under aural rehabilitation and speech therapy categories.)

Individuals with a masters in speech-language pathology who are participating in a supervised professional experience and hold a temporary license in the state where they provide services to Illinois children may apply for an EI Associate: Speech/Language Pathologist in supervised professional experience credential. Associate services are billed under the enrolled supervisor's name.

Speech/Language Pathology Assistants with a current license in the state where they provide services to Illinois children may apply for an EI Associate: Speech/Language Therapy Assistant credential. Associate services are billed under the enrolled supervisor's name.

Transportation

Individuals with an appropriate vehicle registration number, insurance and current driver's license may enroll to bill. Not required to obtain a credential.

Vision

Optometrists or Ophthalmologists with a current license in the state where they provide services to Illinois children may enroll to bill. Not required to obtain a credential.

Individuals with (1) a bachelors degree or higher in Orientation and Mobility or (2) a Special Education degree for Blind and Partially Seeing may apply for an EI Specialist:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Developmental Therapist/Vision credential and enroll to bill.
They may provide Developmental and/or Vision services
related to visual functioning based on their qualification and
experience.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Firearms
- 2) Code Citation: 17 Ill. Adm. Code 650
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
650.21	Amendment
650.22	Amendment
650.45	Amendment
650.60	Amendment
650.67	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to make statewide program changes, open and close state-owned or –managed sites and amend procedures at State sites.
- 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 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:

Julia Lawrence, Legal Counsel
Department of Natural Resources

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

- 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: January 2013

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 650

WHITE-TAILED DEER HUNTING BY USE OF FIREARMS

Section

650.10	Statewide Season and Permit Quotas
650.20	Statewide Deer Permit Requirements
650.21	Deer Permit Requirements – Landowner/Tenant Permits
650.22	Deer Permit Requirements – Special Hunts
650.23	Deer Permit Requirements – Group Hunt
650.30	Statewide Firearms Requirements
650.40	Statewide Deer Hunting Rules
650.45	Reporting Harvest
650.50	Rejection of Application/Revocation of Permits
650.60	Regulations at Various Department-Owned or -Managed Sites
650.65	Youth Hunt (Repealed)
650.66	Special Hunts for Young Hunters
650.67	Special Hunts for Disabled Hunters
650.70	Special Extended Season Firearm Deer Hunt (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 9771, effective September 17, 1981; codified at 5 Ill. Reg. 10640; amended at 6 Ill. Reg. 10730, effective August 20, 1982; amended at 7 Ill. Reg. 10798, effective August 24, 1983; amended at 8 Ill. Reg. 21602, effective October 23, 1984; amended at 9 Ill. Reg. 16213, effective October 10, 1985; emergency amendment at 9 Ill. Reg. 20922, effective December 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4223, effective February 25, 1986; amended at 10 Ill. Reg. 16665, effective September 22, 1986; amended at 11 Ill. Reg. 3044, effective February 3, 1987; amended at 11 Ill. Reg. 9564, effective May 5, 1987; amended at 12 Ill. Reg. 8003, effective April 25, 1988; amended at 12 Ill. Reg. 12055, effective July 11, 1988; amended at 13 Ill. Reg. 12853, effective July 21, 1989; amended at 14 Ill. Reg. 12430, effective July 20, 1990; amended at 14 Ill. Reg. 19869, effective December 3, 1990; amended at 15 Ill. Reg. 10038, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 15790, effective October 22, 1991, for a maximum of 150 days; emergency expired March 21, 1992; amended at 16 Ill. Reg. 11131, effective June 30, 1992; amended at 17 Ill. Reg. 13468,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

effective July 30, 1993; amended at 18 Ill. Reg. 5859, effective April 5, 1994; amended at 18 Ill. Reg. 13431, effective August 23, 1994; amended at 19 Ill. Reg. 6477, effective April 28, 1995; amended at 20 Ill. Reg. 7515, effective May 20, 1996; amended at 21 Ill. Reg. 5572, effective April 19, 1997; amended at 21 Ill. Reg. 9116, effective June 26, 1997; amended at 22 Ill. Reg. 8007, effective April 28, 1998; amended at 23 Ill. Reg. 5564, effective April 26, 1999; amended at 24 Ill. Reg. 8971, effective June 19, 2000; amended at 24 Ill. Reg. 10260, effective July 1, 2000; amended at 25 Ill. Reg. 7231, effective May 22, 2001; amended at 26 Ill. Reg. 9319, effective June 17, 2002; amended at 27 Ill. Reg. 10009, effective June 23, 2003; emergency amendment at 27 Ill. Reg. 17270, effective November 10, 2003, for a maximum of 150 days; Section 650.60 of the emergency rules expired April 8, 2004; amended at 28 Ill. Reg. 353, effective December 19, 2003; amended at 28 Ill. Reg. 8039, effective May 26, 2004; amended at 29 Ill. Reg. 9718, effective June 24, 2005; emergency amendment at 29 Ill. Reg. 13025, effective August 10, 2005, for a maximum of 150 days; emergency expired January 1, 2006; amended at 30 Ill. Reg. 12155, effective June 28, 2006; amended at 31 Ill. Reg. 8169, effective May 25, 2007; amended at 32 Ill. Reg. 9300, effective June 13, 2008; amended at 33 Ill. Reg. 11534, effective July 27, 2009; amended at 34 Ill. Reg. 4800, effective March 19, 2010; amended at 35 Ill. Reg. 10710, effective June 23, 2011; amended at 36 Ill. Reg. 13419, effective August 10, 2012; amended at 37 Ill. Reg. _____, effective _____.

Section 650.21 Deer Permit Requirements – Landowner/Tenant Permits

- a) The immediate family of a landowner or tenant is defined as, and limited to, the spouse, children and parents permanently residing on the same property as the landowner or tenant.
- b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit.
- c) Resident Illinois landowners who own 40 acres or more of land and resident tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family, may apply for a free either-sex permit for their property only in counties open for firearm deer hunting. Recipients of the free either-sex permit will also be given a free antlerless-only permit for their property only. Nonresident Illinois landowners (of 40 acres or more land) are also eligible to apply for one either-sex permit and one antlerless-only permit for their property only. The fee to nonresident Illinois landowners (of 40 acres or more land) for permits for their property only shall be \$150 for the either-sex permit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

and \$25 for the antlerless-only permit. These applications will not be subject to the public lottery process. This deer hunting permit *shall be valid on all farmlands which the person to whom it is issued owns, leases or rents* [525 ILCS 5/2.26] in counties open for firearm deer hunting.

- d) Bona fide Illinois landowners or tenants who do not wish to hunt only on the land they own, rent, or lease must apply for permits in the same manner as the applicant who is not a landowner or tenant. However, resident Illinois landowners who own 40 acres or more of land, and resident tenants leasing or renting 40 acres or more of commercial agricultural land, who apply during the First Lottery application period for a permit to hunt in the county in which they own or lease land and are rejected because the county quota is full, may apply for a county-wide either-sex paid landowner firearm deer permit to hunt in the county where the land is located. Members of the immediate family of the landowner or tenant are also eligible to apply for a county-wide either-sex paid landowner firearm deer permit if they were rejected in the First Lottery. Applications for county-wide paid landowner deer permits will be accepted from August 1 through the last working day in August. Incomplete applications will be returned. The fee for a county-wide either-sex paid landowner deer permit shall be the same as for permits for hunters that are not landowners or tenants. Recipients of a county-wide either-sex paid landowner deer permit may also apply for a regular bonus antlerless-only permit for that county, but will be issued such permit only if there are antlerless permits remaining in the county quota. Landowners and tenants, and their immediate families, who did not apply for permits in the First Lottery and subsequently fail to receive them, are not eligible to apply for or receive county-wide paid landowner deer permits.
- e) Date of acceptance of landowner/tenant property-only permit applications will be publicly announced.
- f) Landowners and resident tenants are not required to participate in the public drawing for permits in order to apply for and receive a property-only permit.
- g) Proof of ownership for all landowner or tenant applications must be provided by one of the following methods:
- 1) Submittal of a copy of property deed, recorded/file stamped by the County Recorder or County Clerk;

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 2) Submittal of a copy of contract for deed, recorded/file stamped by the County Recorder or County Clerk;
 - 3) Submittal of a copy of the most recent real estate tax statement for the property that identifies the property acreage (upon which the landowner's name appears as landowner, or person signing application appears as landowner);
 - 4) Submittal of a copy of a current Farm Service Agency 156EZ form; or
 - 5) Submittal of a copy of a trust agreement which must indicate that the trust owns at least 40 acres and the applicant is a current income beneficiary of the trust.
- h) Tenant permit applicants are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:
- 1) A copy of a lease or a rental agreement, file stamped as recorded by the County Clerk, covering the current year. The agreement must contain the landowner's signature, tenant's signature, description of monetary consideration, specified period of the lease and acreage involved, and a statement that the lease is for agricultural purposes; or
 - 2) A copy of a current Farm Service Agency 156EZ form.
- i) A hunting rights lease, or other non-agricultural lease, is not valid as a basis for obtaining a landowner or tenant permit.
- j) County-wide permit holders are authorized to firearm deer hunt only in the county identified on the deer permit and only on property where permission to hunt has been obtained from the property owner.
- k) If the property is owned or rented by more than one person: Only one landowner (and immediate family) or one tenant (and immediate family) shall be issued a permit on a first-come, first-served basis for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive deer permits.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- l) Bona fide equity shareholders of corporations, bona fide equity members of limited liability companies, bona fide current income beneficiaries of trusts or bona fide partners of a partnerships owning 40 or more acres of land in a county may apply for one either-sex permit to hunt the corporation, limited liability company, trust or partnership lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county, for corporations, trusts and limited liability companies, and a maximum number of 3 permits per county for partnerships, shall be issued based on ownership of lands by corporations, limited liability companies, trusts or partnerships. Lands leased to corporations, limited liability companies, trusts or partnerships shall not be considered as a basis for a permit for the shareholders/members/beneficiaries/partners of the lessee. Lands held in trust by corporations, limited liability companies or partnerships shall not be considered as a basis for a permit by the shareholders/members/partners of the trustee. If application is made for a permit based upon lands owned by the corporation, limited liability company, trust or partnership, a duly authorized officer of the corporation, limited liability company, trust or partnership must sign a notarized statement authorizing the applicant to hunt on the corporate, company, trust or partnership lands for which a permit is being requested. This statement must identify the applicant as a bona fide equity shareholder, member, beneficiary or partner, as defined in this subsection, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation, limited liability company, or trust lands and no more than 3 authorizations will be requested per county for partnership lands.
 - 1) In addition:
 - A) Corporation applicants must submit a copy of ownership interest in a for-profit corporation with a fully-executed stock certificate, articles of incorporation or; corporate agreement, ~~resolution or minutes~~;
 - B) limited liability company applicants must submit a copy of the limited liability company's articles of organization or the operating agreement;
 - C) limited partnerships, limited liability limited partners, and limited liability partnership applicants must submit a copy of the partnership agreement, certificate of partnership or statement of qualification; and

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- D) general partnership applicants must submit a copy of the partnership agreement.
- 2) These documents must be attached to the application upon submittal to the Permit Office. The shareholder/member/partner either-sex permit shall be free to resident shareholders/members/partners, and the cost to nonresident shareholders/members shall be \$150. An antlerless-only shareholder/member/partner permit (free to resident shareholders/members/partners; \$25 to nonresident shareholders/members) will be made available if in the best interest of managing the deer herd. Nonresident partners cannot receive permits under this subsection.
- 3) Bona fide equity shareholder means an individual who:
- A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and
- B) intends to retain the ownership of the shares of stock for at least 5 years.
- 4) Bona fide equity member means an individual who:
- A) became a member upon the formation of the limited liability company; or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act; and
- B) intends to retain the membership for at least 5 years.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 5) Bona fide current income beneficiary means an individual who, at the time of application for a permit, is entitled to income (whether income exists or not) from the trust that owns the land the applicant wishes to hunt with no condition precedent (such as surviving another person, reaching a certain age, etc.) other than the trustee distributing the income, and is listed by name in the trust documents as an income beneficiary.
- 6) Bona fide equity partner means an individual who:
- A) became a partner, either general or limited, upon the formation of the partnership; or has purchased a distributional interest in the partnership or limited partnership for a value equal to the percentage of the appraised value of the partnership assets represented by the distributional interest in the partnership;
 - B) intends to retain ownership of the partnership for at least 5 years; and
 - C) is a resident of Illinois.
- m) Landowners or tenants that apply for or receive property-only landowner/tenant firearm deer permits may not apply for additional permits in the First or Second Lottery Drawing. Landowners or tenants that apply for county-wide paid landowner firearm deer permits must have been rejected in the First Lottery drawing for a permit in the county in which they own or lease land, and they may not apply for additional permits in the Second Lottery Drawing.
- n) *For the purposes of calculating acreage under this Section, the Department shall, after determining the total acreage of the applicable tract or tracts of land, round remaining fractional portions of an acre greater than or equal to half of an acre up to the next whole acre [520 ILCS 5/2.26].*
- o) Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 650.22 Deer Permit Requirements – Special Hunts

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- a) Special hunt sites are defined as those sites which are owned or controlled by agencies/entities other than the Department, or sites at which the Department only controls a portion of the property designated for deer hunting, which issue deer hunting permits through the statewide lottery process. The Permit Office issues deer hunting permits through a computerized drawing for the following sites, in addition to the Department-owned or -managed sites listed in Section 650.60(i). The permit preference system does not apply to special hunt areas or to State sites allocating permits in the lottery.

Burning Star 5 State Wildlife Management Area (only antlerless deer or antlered deer having at least 4 points on one side may be harvested; the first and second season are considered separate hunt choices, and permit applications must specify which season they are applying for in the county choice or hunt area field of the application; tree stands and blinds used for deer hunting must be removed from the area at the end of each day's hunt; deer hunters may begin scouting 7 days prior to season date listed on permit)

Crab Orchard National Wildlife Refuge (the first and second season are considered separate hunt choices, and permit applicants must specify which season they are applying for in the County Choice or Hunt Area field of the application. Permits may be issued as antlerless-only without the normal bonus requirement. Standby hunting will be allowed if additional permits are available at the site)

Crab Orchard National Wildlife Refuge – Disabled Hunt (first season only)

Joliet Army Training Area (Will County)

Lake Shelbyville Project Lands (Moultrie County) (it is unlawful to drive deer; for Corps of Engineers managed lands not managed by IDNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy)

Lake Shelbyville Project Lands except Wolf Creek State Park (Shelby County) (it is unlawful to drive deer; for Corps of Engineers managed lands not managed by IDNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy)

Lost Mound Unit – Upper Mississippi River National Wildlife and Fish Refuge, including Stewardship Park and Eagles Landing (DNR owned) (Friday, Saturday

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

and Sunday prior to the first statewide firearm deer season only; permit drawing will be conducted by USFWS; preference given to disabled hunters; either-sex permits; bonus antlerless-only permits and one-day standby permits will be sold at site; ~~antlerless deer only except that either-sex one-day site-specific permits may be sold to hunters who previously harvested an antlerless deer on site that season~~

Midewin National Tallgrass Prairie (no handguns allowed; additional site pass is required; check-in, check-out and reporting of harvest is required)

- b) Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38). Hunting deer prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a \$500 minimum and \$5,000 maximum fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)). Taking an antlered deer with an antlerless permit is a Class B misdemeanor (see 520 ILCS 5/2.24). Hunting after sunset or outside the set season is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 650.45 Reporting Harvest

- a) Testing of deer for Chronic Wasting Disease (CWD) by DNR personnel will occur so long as funding is available in:
- 1) counties where deer have been documented with the disease;
 - 2) counties considered high-risk for the disease; and
 - 3) counties in which additional surveillance is warranted.
- b) These counties shall be publicly announced following the conclusion of the previous year's annual fall/winter CWD surveillance, which will be used as a basis for decision making. For these counties, hunters shall take their whole (or field dressed) deer to a designated firearm deer check station by 8:00 p.m. on the day the deer was killed. A permanent harvest tag will be attached to the leg of the deer upon registration at the check station. If a hunter is not able to locate a harvested deer in sufficient time to enable reporting the harvest by 8:00 p.m., the hunter must take the deer to the appropriate check station upon its opening at 8:00 a.m. the following morning, or immediately upon retrieving it if that occurs later

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

than the opening of the check station. If this situation occurs on a Sunday (e.g., the check station will not be open on Monday), the hunter must contact the appropriate regional DNR Law Enforcement Office by 10:00 a.m. Monday morning for instructions on checking in the deer. If the head/antlers are delivered to a taxidermist for processing, the temporary harvest tag must accompany the head/antlers and be kept with the head/antlers while at the taxidermist. If the carcass is taken to a meat processor, the permanent harvest tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with their deer permit number to verify lawful acquisition. In the absence of a permit number, the tanner may rely on the written certification of the person from whom the deer was received that the specimen was legally taken or obtained.

- c) For counties in which Chronic Wasting Disease surveillance is not occurring:
- 1) Successful hunters during the firearm deer season must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at www.dnr.illinois.gov~~http://dnr.state.il.us/vecheck~~. The hunter will be provided with a confirmation number to verify that he or she checked in the harvest. This number must be written by the hunter onto the temporary harvest tag (leg tag). If the condition of the tag precludes writing on the tag in the appropriate space (i.e., bloody, etc.), the confirmation number shall be written elsewhere on the tag, or onto a piece of paper and attached to the deer along with the temporary harvest tag. The deer must remain whole (or field dressed) until it has been checked in. In instances where deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:
 - A) For a buck: head with antlers attached to carcass, or attached testicle, scrotum, or penis.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- B) For a doe: head attached to carcass, or attached udder (mammary) or vulva.
- 2) The temporary harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer, the deer has been checked in, and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the confirmation number must be recorded on the "head tag" portion of the permit and both must remain with the deer while at the taxidermist. If the carcass is taken to a meat processor, the temporary harvest tag with confirmation number must remain with the deer while it is processed, and until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written certification by the person from whom the deer was received that the specimen was legally taken or obtained.
- d) Site specific reporting requirements must be followed in addition to this Section.
- e) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 650.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) It is unlawful to drive deer, or participate in a deer drive, on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within firearm range of one or more participating hunters.
- c) Only one tree stand is allowed per deer permit holder. These tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that they may be left unattended from September 15-January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

overnight must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.

- d) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2). Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by a (6).
- e) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (3).
- f) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- g) Statewide regulations shall apply at the following sites:

Alvah Borah State Habitat Area (1) (6)

Big Grand Pierre Glade State Natural Area (1)

Cache River State Natural Area (1) (2)

Campbell Pond State Habitat Area (1) (2) (6)

Cape Bend State Fish and Wildlife Area (1) (2)

Carlyle Lake Lands and Waters (Corps of Engineers managed lands except for Jim Hawn and East Spillway areas that are closed to firearm deer hunting)

Carlyle Lake State Fish and Wildlife~~Wildlife Management~~ Area (except subimpoundment area) (6)

Chauncey Marsh State Natural Area (1) (62)

Collier Limestone Glade State Natural Area (1)

Copperhead Hollow State Wildlife Area (62)

Crawford County Fish and Wildlife~~State Conservation~~ Area (1) (62)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Cretaceous Hills State Natural Area (1)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

Devil's Island State Wildlife Management Area

Dog Island State Wildlife Management Area (1) (~~6~~)

Ferne Clyffe State Park – Cedar/Draper Bluff Hunting Area (1) (2)

~~Flag Pond State Natural Area~~

Fort de Chartres State Historic Site (muzzleloading rifles only; no in-line muzzleloading rifles or muzzleloaders with scopes allowed) (1) (2)

George S. Park Memorial Woods State Natural Area (2)

Giant City State Park (1) (2)

Hamilton County State Conservation Area (1) (~~6~~)

Horseshoe Lake State Fish and Wildlife Area – Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)

Kaskaskia River State Fish and Wildlife Area, excluding Doza Creek Water Management Area and Baldwin Lake Rest Area (1) (2, except south of Highway 154 and north of Highway 13) ~~(during each day of the second firearm deer season, hunting within the Doza Creek Waterfowl Management Area is open from 1:00 p.m. until sunset and firearm deer hunters may not enter the area until 11:00 a.m.)~~

Kinkaid Lake State Fish and Wildlife Area (1) (2)

Lake Le Aqua Na State Park (standby hunting allowed during the first season if all blinds not filled by youth hunters)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Lusk Creek Canyon State Natural Area (1)

Meeker State Habitat Area (1) (~~62~~)

Mermet Lake State Conservation Area (1) (~~62~~)

Miller-Anderson Woods State Natural Area (Bureau County permit holders may hunt the Bureau County portion of the Area and Putnam County permit holders may hunt the Putnam County portion of the Area) (2)

Mississippi State Fish and Waterfowl Management Area – Pools 25 and 26 (Batchtown, Crull Hollow and Godar Waterfowl Rest Areas are closed to hunting beginning 14 days before the regular duck season; areas reopen to hunting the day after duck season closes; it is unlawful to trespass upon the designated duck hunting areas between sunset of the Sunday immediately preceding opening day of regular duck season through the day before regular duck season as posted at the site; no deer hunting is allowed within 200 yards of an occupied duck blind; during duck season only, deer hunters may not access the designated duck hunting areas by launching a boat at certain specifically posted boat ramps; boat ramps reopen to deer hunters the day after duck season closes; hunting is allowed at Red's Landing and Riprap Landing walk-in areas from 12:00 p.m. to ½ hour after sunset during duck season, statewide hours during remainder of the season) (1)

Mississippi River Pool 16 (1)

Mississippi River Pools 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

~~Newton Lake State Fish and Wildlife Area (2)~~

Oakford State Conservation Area (1)

Pere Marquette State Park (1) (~~62~~)

Rend Lake State Fish and Wildlife Area and Corps of Engineers' managed areas of Rend Lake

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Saline County State Fish and Wildlife Area (1) (~~62~~)

Sielbeck Forest State Natural Area (1) (~~62~~)

Skinner Farm State Habitat Area (1) (2)

Ten Mile Creek State Fish and Wildlife Area (1); Belle Rive Unit only (3)

Trail of Tears State Forest (1) (2)

Turkey Bluffs State Fish and Wildlife Area (1) (2)

Union County State Conservation Area (Firing Line Unit only) (1) (2)

Weinberg-King State Park – Spunky Bottoms Unit (~~62~~)

Wildcat Hollow State Forest (1) (~~6~~)

Wise Ridge State Natural Area (1)

- h) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (5). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat Stamp, and Firearm Owner Identification Card, unless exempt. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of \$5. All hunters must check out and report harvest. Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by (6). In the event that Department budget reductions or site staffing reductions make the operation of check stations or issuance of standby permits impractical, changes to check station procedures and standby permit issuance will be publicly announced and posted at the site.

Apple River Canyon State Park – Thompson and Salem Units (first or second season only) (~~62~~)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Argyle Lake State Park (2) (5)

Big River State Forest (2) (5)

Butterfield Trail State Recreation Area (~~6~~2)

Carlyle Lake State Fish and Wildlife Area – East Fork Unit in Clinton County

Castle Rock State Park (first or second season only) (1) (~~2~~)-(5) (6)

Cedar Glen State Natural Area (1) (~~6~~2)

Chain O'Lakes State Park (first season permits only; hunting from elevated stands only, 6 feet minimum above the ground except for designated accessible blinds; firearms must be fully enclosed in a case, except while the hunter is in an elevated stand or as otherwise authorized by an employee of the Department; all hunters must attend a site lottery drawing for designated hunter stations) (1) (2)

Clinton Lake State Recreation Area (only in the area between County Highway 14 and State Route 48 – both sides of lake) (6)

Coffeen Lake State Fish and Wildlife Area

Des Plaines State Conservation Area (first season only) (2) (5)

Ferne Clyffe State Park – Ferne Clyffe Hunting Area (1) (2)

Flag Pond State Natural Area (1)

Fort Massac State Park (2)

Fox Ridge State Park (1) (6)

Franklin Creek State Natural Area (first or second season only) ~~(all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they can purchase an either-sex site-specific permit)~~ (2) (5) (6)

French Bluff State Natural Area (1) (2) (6)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Goose Lake Prairie State Natural Area/Heidecke State Fish and Wildlife Area
(first or second season only) (2) (5)

| Green River State Wildlife Area (first or second season only) (1) (2) (5) (6)

| Hanover Bluff State Natural Area (first or second season only) (6)

| Harry "Babe" Woodyard State Natural Area (2) (3) (6)

Henry Allan Gleason State Natural Area (2)

| Hidden Springs State Forest (1) (6)

| ~~Hurricane Creek State Habitat Area~~

| Iroquois County State Conservation Area (first season only) (2) (5) (6)

| Iroquois County State Conservation Area (second season only; no hunting in the
controlled pheasant hunting area) (2) (5) (6)

Jim Edgar Panther Creek State Fish and Wildlife Area (1) (3)

Jubilee College State Park (first or second season only; hunting is prohibited in
marked zones (handicapped hunt area and areas within 300 yards of an inhabited
dwelling); only one tree stand is allowed per deer permit holder; these tree stands
must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must
be portable; tree stands may be erected the day before the first season and must be
removed by the day after the end of the second season; any tree stand left
unattended overnight must be legibly marked with the owner's name, address, and
telephone number) (2) (5)

Kaskaskia River Fish and Wildlife Area (Baldwin Lake Rest Area; first or second
season only; hunting from elevated stands only; six feet minimum above ground;
hunting must occur within 20 yards of an assigned, numbered stake; an inhouse
drawing will be held in mid-October for such assignments; hunters will be
notified by mail of their hunting location; no hunters may enter the area before
5:00 a.m.) (1) (2) (5 – last 2 days of second season)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Kickapoo State Recreation Area (~~62~~)

Kishwaukee River State Fish and Wildlife Area (first or second season only) (6)

Lake Shelbyville State Fish and Wildlife Area (must have valid permit for Lake Shelbyville Project Lands – Moultrie County) (6)

Lowden-Miller State Forest (first or second season only) (1) ~~(2)~~(5) (6)

Mackinaw River State Fish and Wildlife Area (1) (2) (5)

Marseilles Fish and Wildlife Area (first or second season only) (all tree stands must be removed no later than the last day of the archery deer season; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may enter the site only from designated parking lots) (1) (2) (5)

Marshall State Fish and Wildlife Area (2) (5)

Middle Fork State Fish and Wildlife Area (~~62~~)

Mississippi Palisades State Park (first season only) (1) ~~(2)~~(5) (6)

Momence Wetlands State Natural Area

Moraine Hills State Park (first or second season permits only; an antlerless deer permit must be filled before filling an either sex permit, hunting from elevated stands only, 6 feet minimum above ground except for designated accessible blinds; firearms must be fully enclosed in a case, except while the hunter is in an elevated stand or as otherwise authorized by an employee of the Department) (2) (5)

Morrison-Rockwood State Park (first season only) (5)

Newton Lake State Fish and Wildlife Area (6)

Paul C. Burrus State Habitat Area (6)

Peabody River King State Fish and Wildlife Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Prairie Ridge State Natural Area (Jasper County)

Pyramid State Park ~~(2)~~ (3) (6)

Pyramid State Park – East Conant Unit (3) (6)

Pyramid State Park – Galum Unit (3) (6)

Rall Woods State Natural Area (~~formerly Falling Down Prairie~~) (first or second season only) ~~(62)~~

Ray Norbut State Fish and Wildlife Area ~~(62)~~

Revis Hill Prairie State Natural Area (2)

Sahara Woods State Fish and Wildlife Area (1) ~~(62)~~

Sand Ridge State Forest (2)

Sangamon County State Conservation Area (1)

Sanganois State Wildlife Area (Ash Swale Waterfowl Rest Area will be closed to deer hunting during the waterfowl hunting season) (1) (6)

Siloam Springs State Park ~~(2)~~ (3) (6)

Spoon River State Forest (first or second season only) (1) ~~(62)~~

Starved Rock State Park (first or second season only; permit includes Starved Rock State Park, Matthiessen State Park, Margery C. Carlson State Natural Area, Mitchell's Grove State Natural Area and Sandy Ford State Natural Area; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they can purchase an either-sex site-specific permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program; standby hunters may purchase up to 2 one-day site-specific antlerless-only permits each day) (2) (5)

Tapley Woods State Natural Area (first or second season only) ~~(62)~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Wards Grove State Nature Preserve (first or second season only; antlerless only) ~~(62)~~

Weinberg-King State Park ~~(62)~~

Weinberg-King State Park – Scripps Unit ~~(62)~~

Weldon Springs State Park – Piatt County Unit ~~(6)~~

White Pines Forest State Park (Monday, Tuesday and Wednesday prior to the first statewide firearm deer season only; ~~all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on-site before they can purchase an either-sex site-specific permit~~) ~~(2)~~ (5) ~~(6)~~

White Pines Forest State Park (Monday, Tuesday and Wednesday prior to the second statewide firearm deer season only; ~~all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on-site before they can purchase an either-sex site-specific permit~~) ~~(2)~~ (5) ~~(6)~~

Winston Tunnel State Natural Area (first or second season only) ~~(62)~~

Witkowsky State Wildlife Area (first or second season only) ~~(62)~~

Wolf Creek State Park (participants in the Corps of Engineers special disabled hunt program are exempt from site's antler restrictions; for Corps of Engineers managed lands not managed by IDNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy) (3) ~~(6)~~

- i) Violations of site specific regulations are petty offenses (see 520 ILCS 5/2.20).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 650.67 Special Hunts for Disabled Hunters

- a) Statewide regulations shall apply; season dates shall be the Thursday, Friday, and Saturday immediately prior to the first firearm deer season, and the Thursday, Friday, and Saturday immediately following the second weekend of the regular

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

firearm season unless otherwise noted in parentheses. Permit applications may be obtained from the appropriate site office, and completed applications must be returned to that office by the third Friday in October. Disabled hunters must possess a Class P2A disability card in order to be eligible for the drawing. All participating hunters must show proof of passing the Illinois Hunter Safety Course or an equivalent State program for nonresidents unless otherwise noted in parentheses. Additional regulations will be publicly announced.

Clinton Lake State Recreation Area (Mascoutin State Park) (2)

Horseshoe Lake State Conservation Area (first Saturday and Sunday of November; participants other than disabled hunters must take an antlerless deer before taking an antlered deer) (1) (2) (5)

Jubilee College State Park (coincides with first firearm deer season; hunter safety course not required) (2) (5)

Jubilee College State Park (coincides with second firearm deer season; hunter safety course not required) (2) (5)

Rock Cut State Park (Thursday, Friday ~~and~~; Saturday ~~and Sunday~~ prior to the first statewide firearm deer season) (2) (5)

Starved Rock State Park (coincides with first firearm deer season; permit applications may be obtained from the site office and completed applications must be returned to that office by the third Friday in October; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they can purchase an either-sex site-specific permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program; hunter safety course not required) (2) (5)

Starved Rock State Park (coincides with second firearm deer season; permit applications may be obtained from the site office and completed applications must be returned to that office by the third Friday in October; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they can purchase an either-sex site-specific permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program; hunter safety course not required) (2) (5)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

b) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Muzzleloading Rifles
- 2) Code Citation: 17 Ill. Adm. Code 660
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
660.45	Amendment
660.60	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to make statewide program changes, open and close state-owned or –managed sites and amend procedures at State sites.
- 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 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:

Julia Lawrence, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

217/782-1809

- 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: January 2013

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 660
WHITE-TAILED DEER HUNTING BY USE
OF MUZZLELOADING RIFLES

Section

660.10	Statewide Season and Permit Quotas
660.20	Statewide Deer Permit Requirements
660.21	Deer Permit Requirements – Landowner/Tenant Permits
660.22	Deer Permit Requirements – Special Hunts
660.25	Deer Permit Requirements – Group Hunt
660.30	Statewide Muzzleloading Rifle Requirements
660.40	Statewide Deer Hunting Rules
660.45	Reporting Harvest
660.50	Rejection of Application/Revocation of Permits
660.60	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].

SOURCE: Adopted at 15 Ill. Reg. 4777, effective March 18, 1991; amended at 15 Ill. Reg. 11627, effective August 2, 1991; amended at 16 Ill. Reg. 11150, effective June 30, 1992; amended at 17 Ill. Reg. 10865, effective July 1, 1993; amended at 18 Ill. Reg. 5878, effective April 5, 1994; amended at 18 Ill. Reg. 13435, effective August 23, 1994; amended at 19 Ill. Reg. 6500, effective April 28, 1995; amended at 20 Ill. Reg. 6734, effective May 6, 1996; amended at 21 Ill. Reg. 5583, effective April 19, 1997; amended at 21 Ill. Reg. 9122, effective June 26, 1997; amended at 22 Ill. Reg. 8026, effective April 28, 1998; amended at 23 Ill. Reg. 5579, effective April 26, 1999; amended at 24 Ill. Reg. 10251, effective July 1, 2000; amended at 25 Ill. Reg. 6367, effective April 27, 2001; amended at 26 Ill. Reg. 9340, effective June 17, 2002; amended at 27 Ill. Reg. 10018, effective June 23, 2003; amended at 28 Ill. Reg. 8056, effective May 26, 2004; amended at 29 Ill. Reg. 9744, effective June 24, 2005; emergency amendment at 29 Ill. Reg. 13032, effective August 10, 2005, for a maximum of 150 days; emergency expired January 6, 2006; amended at 30 Ill. Reg. 12181, effective June 28, 2006; amended at 31 Ill. Reg. 8188, effective May 25, 2007; amended at 32 Ill. Reg. 9325, effective June 13, 2008; amended at 33 Ill. Reg. 11555, effective July 27, 2009; amended at 34 Ill. Reg. 4824, effective March 19,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

2010; amended at 35 Ill. Reg. 10728, effective June 23, 2011; amended at 36 Ill. Reg. 13436, effective August 10, 2012; amended at 37 Ill. Reg. _____, effective _____.

Section 660.45 Reporting Harvest

- a) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at www.dnr.illinois.gov~~http://dnr.state.il.us/vcheck~~. The hunter will be provided with a confirmation number to verify that he or she checked in the harvest. This number must be written by the hunter onto the temporary harvest tag (leg tag). If the condition of the tag precludes writing on the tag in the appropriate space (i.e., bloody, etc.), the confirmation number shall be written elsewhere on the tag, or onto a piece of paper and attached to the deer along with the temporary harvest tag. The deer must remain whole (or field dressed) until it has been checked in. In instances where deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:
- 1) For a buck: head with antlers attached to carcass, or attached testicle, scrotum, or penis.
 - 2) For a doe: head attached to carcass, or attached udder (mammary) or vulva.
- b) The temporary harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer, the deer has been checked in, and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the confirmation number must be recorded on the "head tag" portion of the permit and both must remain with the deer while at the taxidermist. If the carcass is taken to a meat processor, the temporary harvest tag with confirmation number must remain with the deer while it is processed, and until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

certification by the person from whom the deer was received that the specimen was legally taken or obtained.

- c) In counties where Chronic Wasting Disease surveillance is occurring during the firearm deer season (17 Ill. Adm. Code 650.45(a)), successful hunters using their muzzleloading rifle deer permits during the second weekend of the firearm season may, at their option, register their harvest at a designated firearm deer check station by 8:00 p.m. on the day the deer was killed. In this situation, the "head tag" portion of the permit will be retained at the check station, and a permanent harvest tag will be attached to the deer upon registration. Tagging requirements for deer delivered to taxidermists, meat processors, and tanners will be as described in 17 Ill. Adm. Code 650.45(a). Muzzleloader hunters required to report under this subsection, but who are unable to locate a harvested deer in sufficient time to report the harvest by 8:00 p.m., must report the harvest as described in subsection (a).
- d) Site specific reporting requirements must be followed in addition to this Section.
- e) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 660.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that they may be left unattended from September 15-January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended overnight must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.
- c) It is unlawful to drive deer or participate in a deer drive on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within firearm range of one or more participating hunters.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- d) Check-in, check-out and reporting of harvest is required at those sites listed in this Section that are followed by a (2). Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by (7).
- e) Handicapped preferred hunting opportunities are provided at those sites listed in this Section that are followed by a (3).
- f) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- g) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).
- h) Statewide regulations shall apply at the following sites:
- Alvah Borah State Habitat Area (1) (7)
- Big Grand Pierre Glade State Natural Area (1)
- Cache River State Natural Area (1) (2)
- Campbell Pond State Fish and Wildlife Area (1) (72)
- Cape Bend State Fish and Wildlife Area (1) (2)
- Carlyle Lake State Fish and Wildlife Management Area except subimpoundment areas (7)
- Carlyle Lake Lands and Waters – Corps of Engineers managed lands (closed to firearm deer hunting in the Jim Hawn and East Spillway Areas)
- Chauncey Marsh State Natural Area (1) (72)
- Collier Limestone Glade State Natural Area (1)
- Copperhead Hollow State Wildlife Area (1) (72)
- Crawford County State Fish and Wildlife Area (1) (72)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Cretaceous Hills State Natural Area (1)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

Devil's Island State Wildlife Management Area

Dog Island State Wildlife Management Area (1) (~~72~~)

Ferne Clyffe State Park (1) (2)

Fort de Chartres State Historic Site (no in-line muzzleloading rifles or muzzleloaders with scopes allowed) (1) (2)

George S. Park Memorial Woods State Natural Area (2)

Giant City State Park (1) (2)

Hamilton County State Fish and Wildlife Area (1) (~~72~~)

Horseshoe Lake Fish and Wildlife Area – Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)

Kaskaskia River State Fish and Wildlife Area (1) (2, except south of Highway 154 and north of Highway 13) (Doza Creek Waterfowl Management Area is closed during duck season)

Kickapoo State ~~Recreation Area~~ Park (closed during second firearm deer season) (1) (2)

Kinkaid Lake State Fish and Wildlife Area (1) (2)

Lusk Creek Canyon State Natural Area (1)

Meeker State Habitat Area (1) (~~72~~)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Mermet Lake State Conservation Area (1) (~~72~~)

Middle Fork State Fish and Wildlife Area (closed during second firearm deer season) (1) (~~72~~)

Miller-Anderson Woods State Natural Area (Bureau County permit holders may hunt the Bureau County portion of the area and Putnam County permit holders may hunt the Putnam County portion of the area) (2)

Mississippi River Pool 16 (1)

Mississippi River Pool 17 (1)

Mississippi River Pool 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Mississippi State Fish and Waterfowl Management Area – Pools 25 and 26 (Batchtown, Crull Hollow and Godar Waterfowl Rest Areas are closed to hunting beginning 14 days before the regular duck season; areas reopen to hunting the day after duck season closes; it is unlawful to trespass upon the designated duck hunting areas between sunset of the Sunday immediately preceding opening day of regular duck season through the day before regular duck season as posted at the site; no deer hunting is allowed within 200 yards of an occupied duck blind; during duck season only, deer hunters may not access the designated duck hunting areas by launching a boat at certain specifically posted boat ramps; boat ramps reopen to deer hunters the day after duck season closes; hunting is allowed at Red's Landing and Riprap Landing walk-in areas from 12:00 p.m. to ½ hour after sunset during duck season, statewide hours during remainder of the season) (1)

Oakford State Conservation Area (1)

Pere Marquette State Park (hunting in designated area only) (1) (~~72~~)

Pyramid State Park (4) (~~7~~)

Pyramid State Park – East Conant Unit (4) (~~7~~)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Ray Norbut State Fish and Wildlife Area (~~72~~)

Rend Lake State Fish and Wildlife Area Corps of Engineers' managed areas of Rend Lake

Saline County State Fish and Wildlife Area (1) (~~72~~)

Sand Ridge State Forest (~~closed during second firearm deer seasonsite-issued permit required; must be returned by February 15~~) (~~7~~)

Sielbeck Forest State Natural Area (1) (~~72~~)

Skinner Farm State Habitat Area (1) (~~72~~)

Ten Mile Creek State Fish and Wildlife Area (1) (~~7~~); Belle Rive Unit only (4)

Trail of Tears State Forest (1) (2)

Turkey Bluffs State Fish and Wildlife Area (1) (2)

Union County State Conservation Area (Firing Line Unit only) (1) (2)

Weinberg-King State Park (~~72~~)

Weinberg-King State Park – Scripps Unit (~~72~~)

Weinberg-King State Park – Spunky Bottoms Unit (~~72~~)

Wildcat Hollow State Forest (1) (~~7~~)

Wise Ridge State Natural Area (1)

- i) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (6). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Stamp, and Firearm Owner Identification Card, if required. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of \$5. All hunters must check out and report harvest. In the event that Department budget reductions or site staffing reductions make the operation of check stations or issuance of standby permits impractical, changes to check station procedures and standby permit issuance will be publicly announced and posted at the site.

Apple River Canyon State Park – Thompson and Salem Units (closed during the second firearm deer season) (~~72~~)

Butterfield Trail State Recreation Area (closed during the second firearm deer season) (~~72~~)

Carlyle State Fish and Wildlife Area – East Fork Unit in Clinton County

Castle Rock State Park (closed during second firearm season) (~~2~~)-(6) (~~7~~)

Cedar Glen State Natural Area (closed during the second firearm deer season) (1) (~~72~~)

Clinton Lake State Recreation Area (North Fork Management Unit, north of the county road at the North Fork boat ramp) (~~7~~)

French Bluff State Natural Area (closed during the second firearm deer season) (1) (~~72~~)

Goose Lake Prairie State Natural Area/Heidecke Lake State Fish and Wildlife Area (closed during the second firearm deer season) (2) (6)

Hanover Bluff State Natural Area (closed during the second firearm deer season) (~~72~~)

Hidden Springs State Forest (closed during second firearm deer season) (1) (~~72~~)

Jim Edgar Panther Creek State Fish and Wildlife Area – Open Unit (closed during second firearm deer season; ~~site issued permit required, must be returned by February 15~~) (1) (4) (~~7~~)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Jubilee College State Park (closed during the second firearm deer season; hunting is prohibited in marked zones) (1, except tree stands must be erected the day before the muzzleloading season and must be removed by the day after the muzzleloading season) (2)

Lake Shelbyville Project Lands in Moultrie County (closed during the second firearm deer season; antlerless only; for Corps of Engineers managed lands not managed by IDNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy) (1)

Lake Shelbyville Project Lands in Shelby County (closed during the second firearm deer season; antlerless only; for Corps of Engineers managed lands not managed by IDNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy) (1)

Lake Shelbyville State Fish and Wildlife Area (closed during the second firearm deer season; antlerless-only; must have valid permit for Lake Shelbyville Project Lands – Moultrie County) (7)

Marseilles State Fish and Wildlife Area (closed during second firearm deer season) (all tree stands must be removed from this area no later than sunset of the last day of archery deer season; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may enter the site only from designated parking lots) (1) (2) (6)

Rall Woods State Natural Area (~~formerly Falling Down Prairie~~) (closed during the second firearm deer season) (~~7~~)

Sahara Woods State Fish and Wildlife Area (1) (~~7~~)

Sangchris Lake State Park (open to muzzleloading rifle hunting during the second firearm deer season only; antlerless deer only; hunting will begin the first day at legal shooting time and at 10:30 a.m. on all other days of the season) (1) (2)

Sangamon County State Conservation Area (closed during second firearm deer season) (1)

Sanganois State Fish and Wildlife Area (Ash Swale Waterfowl Rest Area will be closed to deer hunting during the waterfowl hunting seasons) (1) (~~7~~)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Spoon River State Forest (closed during second firearm deer season) (1) (~~72~~)

Starved Rock State Park (closed during the second firearm deer season; permit includes Starved Rock State Park, Matthiessen State Park, Margery C. Carlson State Natural Area, Mitchell's Grove State Natural Area and Sandy Ford State Natural Area; hunt is open in Zone A; all initial permits will be issued as antlerless only; hunters must take an antlerless deer on the site during the current year firearm or muzzleloader season before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in the bonus buck program; standby hunters may purchase up to 2 one-day site-specific antlerless-only permits each day) (2) (6)

Tapley Woods State Natural Area (closed during the second firearm deer season) (~~72~~)

Wards Grove State Nature Preserve (closed during the second firearm deer season; antlerless deer only) (~~72~~)

Winston Tunnel State Natural Area (closed during the second firearm deer season) (~~72~~)

Witkowsky State Wildlife Area (closed during the second firearm deer season) (~~72~~)

j) Violations of site specific regulations are petty offenses (see 520 ILCS 5/2.20).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Bow and Arrow
- 2) Code Citation: 17 Ill. Adm. Code 670
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
670.21	Amendment
670.30	Amendment
670.55	Amendment
670.60	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to make statewide program changes, open and close state-owned or –managed sites and amend procedures at State sites.
- 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 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:

Julia Lawrence, Legal Counsel
Department of Natural Resources

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

- 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: January 2013

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 670
WHITE-TAILED DEER HUNTING BY USE OF BOW AND ARROW

Section

670.10	Statewide Open Seasons and Counties
670.20	Statewide Deer Permit Requirements
670.21	Deer Permit Requirements – Landowner/Tenant Permits
670.30	Statewide Legal Bow and Arrow
670.40	Statewide Deer Hunting Rules
670.50	Rejection of Application/Revocation of Permits
670.55	Reporting Harvest
670.60	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 8888, effective August 25, 1981; codified at 5 Ill. Reg. 10641; emergency amendment at 5 Ill. Reg. 11402, effective October 14, 1981, for a maximum of 150 days; emergency expired March 13, 1982; amended at 6 Ill. Reg. 10721, effective August 20, 1982; emergency amendment at 6 Ill. Reg. 15581, effective December 14, 1982, for a maximum of 150 days; emergency expired May 13, 1983; amended at 7 Ill. Reg. 10790, effective August 24, 1983; amended at 8 Ill. Reg. 19004, effective September 26, 1984; amended at 9 Ill. Reg. 14317, effective September 9, 1985; amended at 10 Ill. Reg. 16658, effective September 22, 1986; amended at 11 Ill. Reg. 2275, effective January 20, 1987; amended at 12 Ill. Reg. 12042, effective July 11, 1988; amended at 13 Ill. Reg. 12839, effective July 21, 1989; amended at 14 Ill. Reg. 14787, effective September 4, 1990; amended at 14 Ill. Reg. 19859, effective December 3, 1990; amended at 15 Ill. Reg. 10021, effective June 24, 1991; amended at 15 Ill. Reg. 16691, effective October 31, 1991; amended at 16 Ill. Reg. 11116, effective June 30, 1992; amended at 17 Ill. Reg. 286, effective December 28, 1992; amended at 17 Ill. Reg. 13452, effective July 30, 1993; amended at 18 Ill. Reg. 5842, effective April 5, 1994; amended at 19 Ill. Reg. 7560, effective May 26, 1995; amended at 19 Ill. Reg. 15411, effective October 26, 1995; amended at 20 Ill. Reg. 6723, effective May 6, 1996; amended at 21 Ill. Reg. 5561, effective April 19, 1997; amended at 22 Ill. Reg. 7995, effective April 28, 1998; amended at 23 Ill. Reg. 6829, effective

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

May 20, 1999; amended at 24 Ill. Reg. 6908, effective April 20, 2000; amended at 25 Ill. Reg. 7217, effective May 22, 2001; amended at 25 Ill. Reg. 11471, effective August 14, 2001; amended at 26 Ill. Reg. 9356, effective June 17, 2002; amended at 27 Ill. Reg. 10025, effective June 23, 2003; amended at 28 Ill. Reg. 9968, effective July 6, 2004; amended at 29 Ill. Reg. 9761, effective June 24, 2005; amended at 30 Ill. Reg. 12196, effective June 28, 2006; amended at 31 Ill. Reg. 8202, effective May 25, 2007; amended at 32 Ill. Reg. 9337, effective June 13, 2008; amended at 33 Ill. Reg. 11571, effective July 27, 2009; amended at 34 Ill. Reg. 4839, effective March 19, 2010; amended at 35 Ill. Reg. 10739, effective June 23, 2011; amended at 36 Ill. Reg. 13450, effective August 10, 2012; amended at 37 Ill. Reg. _____, effective _____.

Section 670.21 Deer Permit Requirements – Landowner/Tenant Permits

- a) The immediate family of a landowner or tenant is defined as, and limited to, the spouse, children and parents permanently residing on the same property as the landowner or tenant.
- b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit. ~~Hunting and mineral rights leases are not valid for a tenant permit.~~
- c) Resident Illinois landowners who own 40 acres or more of land and resident tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family, may apply for a free combination archery deer permit for their property only. Non-resident Illinois landowners (of 40 acres or more) are also eligible to apply for a combination archery deer permit for their property only. The fee to non-resident Illinois landowners owning 40 acres or more for a combination permit for their property only shall be \$210. This deer hunting permit shall be valid on all farm lands owned, leased, or rented by the person to whom it is issued.
- d) If property is owned or rented by more than one person, only one landowner (and his immediate family) or one tenant (and his immediate family) will be issued a permit for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive deer permits.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- e) Proof of ownership for all landowner or tenant applications must be provided by one of the following methods:
- 1) Submittal of a copy of property deed, recorded/file stamped by the County Recorder or County Clerk.
 - 2) Submittal of a copy of contract for deed, recorded/file stamped by the County Recorder or County Clerk;
 - 3) Submittal of a copy of the most recent real estate tax statement for the property that identifies the property acreage (upon which the landowner's name appears as landowner or the person signing the application appears as landowner);
 - 4) Submittal of a copy of a current Farm Service Agency 156EZ form; or
 - 5) Submittal of a copy of a trust agreement that must indicate that the trust owns at least 40 acres and the applicant is a current income beneficiary of the trust.
- f) Tenant permit applicants are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:
- 1) A copy of a lease or a rental agreement, file stamped as recorded by the County Clerk, covering the current year. The agreement must contain the landowner's signature, tenant's signature, description of monetary consideration, specified period of the lease and the acreage involved, and a statement that the lease is for agricultural purposes; or
 - 2) A copy of a current Farm Service Agency 156EZ form.
- g) A hunting rights lease or other non-agricultural lease is not valid as a basis for obtaining a landowner or tenant permit.
- he) Bona fide equity shareholders of corporations, bona fide equity members of limited liability companies, bona fide current income beneficiaries of trusts or bona fide partners of partnerships owning 40 or more acres of land in a county

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

may apply for one either-sex permit to hunt the corporation, limited liability company, trust or partnership lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county for corporations, trusts, and limited liability companies and a maximum number of 3 permits per county for partnerships, shall be issued based on ownership of lands by corporations, limited liability companies, trusts or partnerships. Lands leased to corporations, limited liability companies, trusts or partnerships shall not be considered as a basis for a permit for the shareholders/members/beneficiaries/partners of the lessee. Lands held in trust by corporations, limited liability companies, or partnerships shall not be considered as a basis for a permit by the shareholders/members/partners of the trustee. If application is made for a permit based upon lands owned by the corporation, limited liability company, trust or partnership, a duly authorized officer of the corporation, limited liability company, trust or partnership must sign a notarized statement authorizing the applicant to hunt on the corporate, company, trust or partnership lands for which a permit is being requested. This statement must identify the applicant as a bona fide equity shareholder, member, beneficiary or partner, as defined in this subsection, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation, limited liability company, or trust lands and no more than 3 authorizations will be requested per county for partnership lands.

- 1) In addition:
 - A) Corporation applicants must submit a copy of ownership interest in a for-profit corporation with a fully-executed stock certificate, articles of incorporation or; corporate agreement, ~~resolution or minutes~~;
 - B) limited liability company applicants must submit a copy of the limited liability company's articles of organization or the operating agreement;
 - C) limited partnerships, limited liability limited partners, and limited liability partnership applicants must submit a copy of the partnership agreement, certificate of partnership or statement of qualification; and

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- D) general partnership applicants must submit a copy of the partnership agreement.
- 2) These documents must be attached to the application upon submittal to the Permit Office. The shareholder/member combination permit shall be free to resident shareholders/members/beneficiaries/ partners, and the cost to non-resident shareholders/members/beneficiaries shall be \$210. Non-resident partners cannot receive permits under this subsection.
- 3) Bona fide equity shareholder means an individual who:
- A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and
 - B) intends to retain the ownership of the shares of stock for at least 5 years.
- 4) Bona fide equity member means an individual who:
- A) became a member upon the formation of the limited liability company; or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act; and
 - B) intends to retain the membership for at least 5 years.
- 5) Bona fide current income beneficiary means an individual who, at the time of application for a permit, is entitled to income (whether income exists or not) from the trust that owns the land the applicant wishes to hunt with no condition precedent (such as surviving another person, reaching a certain

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

age, etc.) other than the trustee distributing the income, and is listed by name in the trust documents as an income beneficiary.

- 6) Bona fide equity partner means an individual who:
- A) became a partner, either general or limited, upon the formation of the partnership; or has purchased a distributional interest in the partnership or limited partnership for a value equal to the percentage of the appraised value of the partnership assets represented by the distributional interest in the partnership;
 - B) intends to retain ownership of the partnership for at least 5 years; and
 - C) is a resident of Illinois.

if) The application period for these permits will be publicly announced. Applicants submitting applications for a landowner/shareholder/member/beneficiary/ partner archery permit after September 1 will not be guaranteed a permit by October 1.

ig) *For the purposes of calculating acreage under this Section, the Department shall, after determining the total acreage of the applicable tract or tracts of land, round remaining fractional portions of an acre greater than or equal to half of an acre up to the next whole acre [520 ILCS 5/2.26].*

kh) Providing false information on a permit application is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 670.30 Statewide Legal Bow and Arrow

- a) The only legal hunting devices to take, or attempt to take, deer are:

1) Vertical bows, limited to longbows, recurve bows or compound bows with minimum pull of 40 pounds at some point within a 28-inch draw. Minimum arrow length is 20 inches. Any mechanical device capable of maintaining a drawn or partially drawn position on a vertical bow without

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

~~the hunter exerting full string tension is illegal. a long, recurved, or compound bow with minimum pull of 40 pounds at some point within a 28-inch draw. Minimum arrow length is 20 inches, and broadheads must be used. Broadheads may have fixed or expandable cutting surfaces, but they must be a minimum 7/8 inch in diameter when fully opened. Broadheads with fixed cutting surfaces must be metal or flint, chert, or obsidian-knapped; broadheads with expandable cutting surfaces must be metal. All other bows and arrows, including electronic arrow tracking devices utilizing radio telemetry, are illegal.~~

2) Crossbows, so long as one or more of the following conditions are met:

A) If the user is a person age 62 and older with a valid photo ID containing proof of age; or

B) If the user is a disabled person to whom the Department has issued a permit to use a crossbow as provided by 17 Ill. Adm. Code 760; or

C) If the date is between the second Monday following the Thanksgiving holiday through the last day of the archery deer hunting season (both inclusive).

b) Broadheads must be used while archery deer hunting. Broadheads may have fixed or expandable cutting surfaces, but they must be a minimum 7/8 inch in diameter when fully opened. Broadheads with fixed cutting surfaces must be metal or flint-, chert- or obsidian-knapped; broadheads with expandable cutting surfaces must be metal. A crossbow device is illegal except as provided by Sections 2.25, 2.26 and 2.33jj of the Wildlife Code [520 ILCS 5/2.25, 2.26 and 2.33(jj)]. Crossbow standards may be found in 17 Ill. Adm. Code 760 – Disabled Hunting Method Authorizations. It is unlawful to carry any firearm or sidearm while hunting deer with a bow and arrow.

c) Specifications for legal crossbows and bolts are contained in 17 Ill. Adm. Code 760. Any mechanical device capable of maintaining a drawn or partially drawn position on a bow without the hunter exerting full string tension is illegal.

d) All other hunting devices, including electronic arrow tracking devices utilizing

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

radio telemetry, are illegal. It is unlawful to carry any firearm or sidearm while hunting deer with a bow and arrow.

- e) Use of an unlawful device is a Class B misdemeanor (see 520 ILCS 5/2.24), except that unlawful use of a crossbow is a Class A misdemeanor with a minimum \$500 and maximum \$5,000 fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(o)).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 670.55 Reporting Harvest

- a) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at www.dnr.illinois.gov~~http://~~dnr.state.il.us/vcheck. The hunter will be provided with a confirmation number to verify that he or she checked in the harvest. This number must be written by the hunter onto the temporary harvest tag (leg tag). If the condition of the tag precludes writing on the tag in the appropriate space (i.e., bloody, etc.), the confirmation number shall be written elsewhere on the tag, or onto a piece of paper and attached to the deer along with the temporary harvest tag. The deer must remain whole (or field dressed) until it has been checked in. In instances where deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:
- 1) For a buck: head with antlers attached to carcass, or attached testicle, scrotum, or penis.
 - 2) For a doe: head attached to carcass, or attached udder (mammary) or vulva.
- b) The temporary harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer, the deer has been checked in, and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

confirmation number must be recorded on the "head tag" portion of the permit and both must remain with the deer while at the taxidermist. If the carcass is taken to a meat processor, the temporary harvest tag (leg tag) with confirmation number must remain with the deer while it is processed, and until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written certification by the person from whom the deer was received that the specimen was legally taken or obtained.

- c) Site specific reporting requirements must be followed in addition to this Section.
- d) Failure to follow this Section constitutes illegal possession of deer, which is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 670.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 (General Hunting and Trapping) apply in this Section, unless this Section is more restrictive.
- b) It is unlawful to drive deer, or participate in a deer drive, on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within archery range of one or more participating hunters.
- c) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that tree stands may be left unattended from September 15 through January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.
- d) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2). Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by (6).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- e) Where standby hunters are used to fill quotas, a drawing will be held at sites indicated by a (3).
- f) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- g) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).
- h) Statewide regulations shall apply at the following sites:

Alvah Borah State Habitat Area (6)

- * Anderson Lake State Fish and Wildlife Area (2)

Apple River Canyon State Park – Thompson and Salem Units (6)

Argyle Lake State Park (1) (~~62~~)

- * Banner Marsh State Fish and Wildlife Area (2)

- * Beall Woods State Park (1) (~~62~~)

- * Big Bend State Fish and Wildlife Area (1) (2)

Big Grand Pierre Glade State Natural Area (1)

Big River State Forest (1) (~~62~~)

Buffalo Rock State Park/Blackball Mines Nature Preserve (2)

Burning Star 5 State Wildlife Management Area (deer hunters may begin scouting 7 days prior to the season date listed on permit; tree stands and blinds used for deer hunting must be removed from the area at the end of each day's hunt) (4)

Butterfield Trail State Recreation Area (~~62~~)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Cache River State Natural Area (1) (2)

Campbell Pond State Fish and Wildlife Area (1) (~~62~~)

Cape Bend State Fish and Wildlife Area (1) (2)

Carlyle Lake Lands and Waters (Corps of Engineers managed lands, except Jim Hawn and East Spillway Areas)

* Carlyle Lake Lands and Waters (Corps of Engineers managed lands – Jim Hawn and East Spillway Areas)

Carlyle Lake State Fish and Wildlife Management Area (except subimpoundment area is closed 7 days prior to and during the regular waterfowl season; lands bounded on the east by "C" levee, south by "D" levee, west by ACOE property line, and including the posted area west of parking lot #2, will be open the entire archery deer hunting season) (~~6~~)

Castle Rock State Park (submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease) (1) (~~62~~)

Cedar Glen State Natural Area (no hunting after December 15) (1) (~~62~~)

Chauncey Marsh State Natural Area (permit obtained at Red Hills State Park headquarters) (1) (6)

Clinton Lake State Recreation Area (an antlerless deer must be taken on the site before an antlered deer is harvested) (6)

Coffeen Lake State Fish and Wildlife Area (6)

Collier Limestone Glade State Natural Area (1)

Copperhead Hollow State Wildlife Area (1) (6)

Crawford County State Conservation Area (1) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Cretaceous Hills State Natural Area (1)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

Des Plaines Game Propagation Center (closed Saturdays and Sundays in October and Sundays in November, December and January) (2)

Des Plaines State Conservation Area (no hunting is permitted Wednesday through Sunday of the site's permit pheasant season) (6)

Devil's Island State Wildlife Management Area

Dixon Springs State Park (1) (~~6~~)

Dog Island State Wildlife Management Area (1) (~~6~~)

* Eagle Creek State Park (disabled hunters are exempt from site's antler restrictions; for Corps of Engineers managed lands not managed by DNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy) (4) (6)

Eldon Hazlet State Park (archery hunting is closed in the designated controlled pheasant hunting area on days when the controlled pheasant hunting program is in operation)

Ferne Clyffe State Park (1) (2)

Finrock State Habitat Area (October 1-31 only; eligible hunters required to obtain Clinton Lake State Recreation Area site hunting permit) (6)

Flag Pond State Natural Area (1)

Fort de Chartres State Historic Site (1) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- * Fort Kaskaskia State Historic Site (opens November 1) (2)
- Fort Massac State Park (1) (~~62~~)
- Fox Ridge State Park (1) (6)
- Franklin Creek State Natural Area (~~antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season;~~ submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease) (~~62~~)
- French Bluff State Natural Area (6)
- George S. Park Memorial Woods State Natural Area (2)
- Giant City State Park (1) (2)
- Goose Lake Prairie State Natural Area/Heidecke State Fish & Wildlife Area (archery deer hunting is closed during the muzzleloader deer season) (6)
- Green River State Wildlife Area (1) (~~62~~)
- Hallsville State Habitat Area (October 1-31 only; eligible hunters will use Clinton Lake State Recreation Area site hunting permit) (1) (6)
- Hamilton County State Conservation Area (1) (6)
- Hanover Bluff State Natural Area (6)
- Harry "Babe" Woodyard State Natural Area (4) (6)
- Henry Allen Gleason State Natural Area (6)
- Hidden Springs State Forest (1) (6)
- Hindsboro State Habitat Area (October 1 through October 31 only) (~~6~~)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Horseshoe Lake State Conservation Area – Alexander County (Controlled Goose Hunting Area – open from October 1-31; reopens with the close of the Quota Zone goose season through statewide closing; remainder of the Public Hunting Area open during statewide season) (1) (2)

Ilo Dillin State Habitat Area (hunting allowed during October only) (~~6~~)

Iroquois County State Wildlife Area/Hooper Branch only (1) (2)

Jubilee College State Park (2)

Kankakee River State Park (deer bow hunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season; a limited hunting opportunity for persons with disabilities, Class P2A, exists at the Davis Creek Bike Trail Area; disabled hunters must register to hunt at the site office and must sign in and out daily; disabled hunters are required to hunt with a non-disabled partner who may also hunt from predetermined locations during the disabled hunting season (November 1 to the day before the first firearm deer season, except campground blinds will remain open until the close of the archery deer season and do not require a partner to hunt) (6)

Kaskaskia River State Fish and Wildlife Area (the State-owned portion of the defined waterfowl rest area is open until 2 weeks prior to the start of the regular duck season through the close of the regular duck and Canada goose seasons; no hunting within 50 yards of the Baldwin Lake Waterfowl Rest Area's main north-south road) (1) (2 – except south of Highway 154 and north of Highway 13)

Kickapoo State Recreation Area (6)

Kidd Lake State Natural Area (1)

Kinkaid Lake State Fish and Wildlife Area (1) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Kishwaukee River State Fish and Wildlife Area; submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease (~~62~~)

Lake Le Aqua Na State Park (antlerless deer only; November 1-30; hunting hours legal opening until 10:00 a.m.) (2)

Lincoln Trail State Park (November 1 through the end of statewide season) (2)

Little Rock Creek State Habitat Area (opens statewide opening date; however, site closes for archery deer hunting at the end of legal shooting hours the day preceding the opening of the north zone upland season and reopens the day after the close of the north zone upland season and runs until the statewide season closes) (1) (2)

~~Lincoln Trail State Park (November 1 through the end of statewide season; an antlerless deer must be taken on the site before an antlered deer is harvested) (2)~~

Lowden-Miller State Forest (submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease) (1) (~~62~~)

Lowden State Park (in October, hunting allowed on Mondays, Tuesdays, Wednesdays and Thursdays only, excluding official State holidays; beginning November 1, archery hunting is allowed 7 days a week) (~~62~~)

Lusk Creek Canyon State Natural Area (1)

Mackinaw River State Fish and Wildlife Area (1) (~~62~~)

Marseilles State Fish and Wildlife Area (closed Friday, Saturday, and Sunday in October only; no hunting after the first Thursday after January 10; ~~)(all tree stands must be removed from this area no later than the last day of the season; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may enter the site only from designated parking lots) (1) (2)~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Marshall State Fish and Wildlife Area (Duck Ranch Unit closed 7 days prior to the duck season through the close of duck season) (~~62~~)

[Mautino State Fish and Wildlife Area \(1\) \(6\)](#)

Maytown Pheasant Habitat Area (hunting allowed during October only) (~~62~~)

Mazonia/Braidwood State Fish and Wildlife Area (2) (4)

[Meeker State Habitat Area \(1\) \(6\)](#)

Mermet Lake State Conservation Area (1) (~~62~~)

[Middle Fork State Fish and Wildlife Area \(6\)](#)

Midewin National Tallgrass Prairie (additional site hunting pass required) (2)

Miller-Anderson Woods State Natural Area (2)

[Mississippi Palisades State Park \(closed during the first firearm deer season\) \(1\) \(6\)](#)

[Mississippi River Pool 16 \(1\)](#)

[Mississippi River Pools 17, 18 \(1\)](#)

[Mississippi River Pools 21, 22, 24 \(1\)](#)

Mississippi State Fish and Waterfowl Management Area – Pools 25 and 26 (Batchtown, Crull Hollow and Godar Waterfowl Rest Areas are closed to hunting beginning 14 days before regular duck season; areas reopen to hunting the day after duck season closes; it is unlawful to trespass upon the designated duck hunting areas between sunset of the Sunday immediately preceding opening day of regular duck season through the day before regular duck season as posted at the site; no deer hunting is

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

allowed within 200 yards of an occupied duck blind; during duck season only, deer hunters may not access the designated duck hunting areas by launching a boat at certain specifically posted boat ramps; boat ramps reopen to deer hunters the day after duck season closes; hunting is allowed at Red's Landing and Riprap Landing walk-in areas from 12:00 p.m. to ½ hour after sunset during duck season, statewide hours during remainder of season) (1)

~~Mississippi River Pool 16 (1)~~

~~Mississippi River Pools 17, 18 (1)~~

~~Mississippi River Pools 21, 22, 24 (1)~~

Mitchell's Grove State Nature Preserve (antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season; closed during the muzzleloading deer season) (2)

Momence Wetlands State Natural Area (1) (6)

Moraine View State Park (archery deer hunting closed Wednesday through Sunday during the controlled pheasant season) (1) (6)

Morrison Rockwood State Park (opens on the day following the close of the first firearm deer season) (1) (2)

* Mt. Vernon Propagation Center (1) (2)

Nauvoo State Park (Max Rowe Unit Only) (6)

Newton Lake State Fish and Wildlife Area (check deer at site office) (6)

Oakford State Conservation Area

Paul C. Burrus (formerly Hurricane Creek State Habitat Area) (hunter quotas filled by drawing) (6)

* Peabody River King State Fish and Wildlife Area (East subunit closes

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

November 1) (1) (2)

Pekin Lake State Fish and Wildlife Area (1) (6)

Pere Marquette State Park (area east of Graham Hollow Road) (1) (6)

Prairie Ridge State Natural Area (1) (6)

Pyramid State Park (4)

Rall Woods State Natural Area (6)

Ramsey Lake State Park (1) (6)

* Randolph County State Conservation Area (1) (2)

Rauchfuss Hill State Recreation Area (1) (~~6~~)

Ray Norbut State Fish and Wildlife Area (~~6~~)

* Red Hills State Park (1) (~~6~~)

Rend Lake State Fish and Wildlife Area (refuge only (south of site headquarters) from October 1 through October 31; an antlerless deer must be taken on the site before an antlered deer is harvested) (2)

Rend Lake State Fish and Wildlife Area and Corps of Engineers managed areas of Rend Lake (~~an antlerless deer must be taken on the site before an antlered deer is harvested~~)

~~Rend Lake State Fish and Wildlife Area (refuge only (south of site headquarters) from October 1 through October 31; an antlerless deer must be taken on the site before an antlered deer is harvested) (2)~~

Revis Hill Prairie State Natural Area (6)

* Rice Lake State Fish and Wildlife Area (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- * Rockton Bog State Natural Area (6)
- Sahara Woods State Fish and Wildlife Area (portions of site closed until November 1) (6)
- Saline County State Fish and Wildlife Area (1) (~~6~~)
- * Sam Dale Lake State Fish and Wildlife Area (1) (6)
- * Sam Parr State Park (1) (2)
- Sandy Ford State Natural Area (antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season; archery deer hunting is closed during the muzzleloader deer season) (2)
- Sangamon County State Conservation Area (1)
- Sanganois State Wildlife Area (Ash Swale Waterfowl Rest Area will be closed to deer hunting during the waterfowl hunting seasons) (1) (6)
- Sand Ridge State Forest (6)
- * Shabbona Lake State Park (submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease) (~~6~~)
- Shelbyville State Fish and Wildlife Area (for Corps of Engineers managed lands not managed by DNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy) (1) (6)
- Sielbeck Forest State Natural Area (1) (~~6~~)
- Siloam Springs State Park (Fall Creek Unit) (~~6~~)
- Siloam Springs State Park – Buckhorn Unit (resident hunters only) (4) (6)
- * Silver Springs State Park (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Skinner Farm State Habitat Area (1) (2)

* Snakeden Hollow State Fish and Wildlife Area (October 1 through start of the central zone goose season) (6)

* South Shore State Park (2)

Sparks Pond State Natural Area (6)

Spoon River State Forest (1) (62)

* Spring Lake State Fish and Wildlife Area (1) (6)

* Starved Rock State Park/Matthiessen State Park/Margery C. Carlson Nature Preserve (antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season; deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange during the statewide firearm deer seasons; open to archery deer hunting during the statewide firearm deer season only in Zone A) (2)

* Stephen A. Forbes State Recreation Area (1) (6)

Tapley Woods State Natural Area (6)

Ten Mile Creek State Fish and Wildlife Area (areas designated as refuge are closed to all access during Canada goose season only) (1) (6); Belle Rive Unit only (4)

Trail of Tears State Forest (1) (2)

Turkey Bluffs State Fish and Wildlife Area (1) (2)

Union County State Fish and Wildlife Area (Controlled Public Hunting Area – closed after October 31) (1) (2)

Walnut Point State ~~Park~~Fish and Wildlife Area (1) (6)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Wards Grove State Nature Preserve (closed during firearm deer hunting; antlerless deer only) (6)

- * Washington County State Conservation Area (1) (2)

Weinberg-King State Park (~~62~~)

Weinberg-King State Park – Cecil White Unit (~~6~~)

Weinberg-King State Park – Scripps Unit (resident hunters only) (~~62~~)

Weinberg-King State Park – Spunky Bottoms Unit (resident hunters only) (~~62~~)

Weldon Springs State Park – Piatt County Unit (an antlerless deer must be taken on the site before an antlered deer is harvested) (6)

Whitefield Pheasant Habitat Area (hunting allowed during October only) (~~62~~)

- * White Pines Forest State Park (~~antlerless deer only in October, either sex deer from November 1 through the end of the statewide archery season; hunting allowed on Mondays, Tuesdays, Wednesdays and Thursdays only – excluding official State holidays in October. Beginning November 1, archery hunting is allowed 7 days a week, excluding the site's special firearm deer season~~) (~~62~~)

Wildcat Hollow State Forest (1) (~~6~~)

Willow Creek State Habitat Area (hunting permitted October 1-31) (1) (6)

Winston Tunnel State Natural Area (6)

Wise Ridge State Natural Area (1)

Witkowsky State Wildlife Area (opens October 15) (6)

Wolf Creek State Park (an antlerless deer must be taken on the site before

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

an antlered deer is harvested; Illinois residents and non-residents are eligible for the drawing; for Corps of Engineers managed lands not managed by DNR, contact Corps of Engineers, Lake Shelbyville office, for specific deer hunting policy) (4) (6)

Woodford State Fish and Wildlife Area (opens at the close of duck season) (~~62~~)

- i) Statewide regulations shall apply at the following sites except that hunter quotas shall be filled by mail-in drawing:

Beaver Dam State Park (an antlerless deer must be taken on the site before an antlered deer is harvested; harvest reports are due to the site by December 31; failure to submit report shall result in the loss of hunting privileges at the site for the following year) (1)

Bohm Woods State Nature Preserve (an antlerless deer must be taken on the site before an antlered deer is harvested; harvest reports are due to the site by January 31; failure to submit report shall result in the loss of hunting privileges at the site for the following year) (1)

- * Frank Holten State Park (opens November 1; crossing of Harding Ditch within confines of site allowed; no hunting from Harding Ditch right-of-way; drawing for weekly hunter quotas will be held prior to the season; display windshield card while hunting; harvest report due to site by January 31, failure shall result in ineligibility to hunt at the site the following year) (1, starting October 15)

Goode's Woods State Nature Preserve (an antlerless deer must be taken on the site before an antlered deer is harvested; harvest reports are due to the site by January 31; failure to submit report shall result in the loss of hunting privileges at the site for the following year) (1)

Horseshoe Lake State Fish and Wildlife Area (Alexander County) (refuge portion only, second weekend (Friday, Saturday and Sunday) in November)

- * Horseshoe Lake State Park (Madison County) (hunting in designated areas

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

only; an antlerless deer must be taken on the site before an antlered deer is harvested; harvest reports are due to the site by December 31; failure to submit report shall result in the loss of hunting privileges at the site for the following year; ~~hunting will close at end of regular duck season~~) (1)

~~Hurricane Creek State Habitat Area (hunter quotas filled by drawing; must have Fox Ridge site permit to be eligible)~~

Pere Marquette State Park (hunting allowed in group camping areas only; season begins the first weekday after camps close)

Union County State Fish and Wildlife Area (refuge portion only; first weekend (Friday, Saturday and Sunday) in November)

- j) ~~State regulations shall apply except that hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned, and harvest reported, to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year. Statewide regulations shall apply at the following sites, except that hunters must obtain a free site permit online at: <http://dnr.state.il.us/lands/landmgt/programs/windshieldecard>. This permit must be displayed and visible inside the vehicle windshield and the pocket portion kept in possession while hunting at the site. Hunters must report their annual harvest online at the web address listed in this subsection (j) by February 15 (even if the hunter did not hunt) or the hunter will forfeit hunting privileges at the site for the following year. Hunters needing assistance accessing the online program can do so from any IDNR site or Regional Office.~~

~~Alvah Borah State Habitat Area (1)~~

~~Apple River Canyon State Park—Thompson and Salem Units~~

~~Chauncey Marsh State Natural Area (permit obtained at Red Hills State Park headquarters) (1)~~

~~Clinton Lake State Recreation Area (an antlerless deer must be taken on the site before an antlered deer is harvested)~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

~~Coffeen Lake State Fish and Wildlife Area~~

~~Copperhead Hollow State Wildlife Area (1)~~

~~Des Plaines State Conservation Area (no hunting is permitted Wednesday through Sunday of the site's permit pheasant season) (2)~~

* ~~Eagle Creek State Park (disabled hunters are exempt from site's antler restrictions; for Corps of Engineers managed lands not managed by IDNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy) (4)~~

~~Eldon Hazlet State Park (archery hunting is closed in the designated controlled pheasant hunting area on days when the controlled pheasant hunting program is in operation)~~

~~Finfrock State Habitat Area (October 1-31 only; eligible hunters required to obtain Clinton Lake State Recreation Area site hunting permit)~~

~~Fox Ridge State Park (1)~~

~~French Bluff State Natural Area~~

~~Goose Lake Prairie State Natural Area/Heidecke State Fish & Wildlife Area (archery deer hunting is closed during the muzzleloader deer season)~~

~~Hallsville State Habitat Area (October 1-31 only; eligible hunters will use Clinton Lake State Recreation Area site hunting permit) (1)~~

~~Hamilton County State Conservation Area (1)~~

~~Hanover Bluff State Natural Area~~

~~Harry "Babe" Woodyard State Natural Area (4)~~

~~Henry Allan Gleason State Natural Area~~

~~Hidden Springs State Forest (1)~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- * Horseshoe Lake State Park (Madison County – Gaberet, Mosenthein and Chouteau Island Units)

~~Kankakee River State Park (deer bow hunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season; a limited hunting opportunity for persons with disabilities, Class P2A, exists at the Davis Creek Bike Trail Area; disabled hunters must register to hunt at the site office and must sign in and out daily; disabled hunters are required to hunt with a non-disabled partner who may also hunt from predetermined locations during the disabled hunting season (November 1 to the day before the first firearm deer season, except campground blinds will remain open until the close of the archery deer season and do not require a partner to hunt))~~

~~Kickapoo State Park~~

~~Lake Le Aqua Na State Park (antlerless deer only; November 1-30; hunting hours legal opening until 10:00 a.m.)~~

~~Mautino State Fish and Wildlife Area (1)~~

~~Meeker State Habitat Area (obtain permit at Sam Parr State Park headquarters) (1)~~

~~Middle Fork State Fish and Wildlife Area~~

- * ~~Mississippi Palisades State Park (closed during the first firearm deer season) (1) (2)~~

~~Momence Wetlands State Natural Area (1)~~

~~Moraine View State Park (archery deer hunting closed Wednesday through Sunday during the controlled pheasant season) (1)~~

~~Newton Lake State Fish and Wildlife Area (check deer at site office)~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- * ~~Pekin Lake State Fish and Wildlife Area (1)~~
- ~~Prairie Ridge State Natural Area (1)~~
- ~~Pere Marquette State Park (area east of Graham Hollow Road) (1)~~
- Pyramid State Park – Captain Unit (4)
- Pyramid State Park – Denmark Unit (4)
- Pyramid State Park – East Conant Unit (4)
- Pyramid State Park – Galum Unit (4)
- Pyramid State Park (4)
- ~~Rail Woods State Natural Area~~
- ~~Ramsey Lake State Park (1)~~
- ~~Revis Hill Prairie State Natural Area~~
- * ~~Rockton Bog State Natural Area~~
- ~~Sahara Woods State Fish and Wildlife Area (free permits allocated through publicly announced drawing held on site in advance of opening day; permit allows hunter to scout on site 7 days prior to the opening day of season)~~
- * ~~Sam Dale Lake State Conservation Area (1)~~
- ~~Sanganois State Wildlife Area (Ash Swale Waterfowl Rest Area will be closed to deer hunting during the waterfowl hunting seasons) (1)~~
- ~~Sand Ridge State Forest~~
- ~~Shelbyville State Fish and Wildlife Area (for Corps of Engineers managed lands not managed by IDNR, contact Corps of Engineers, Lake Shelbyville~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

~~office for specific deer hunting policy) (1)~~

- * ~~Siloam Springs State Park—Buckhorn Unit (resident hunters only) (2) (4)~~
- * ~~Snakeden Hollow State Fish and Wildlife Area (October 1 through start of the central zone goose season)~~
- * ~~South Shore State Park~~
- ~~Sparks Pond State Natural Area~~
- * ~~Spring Lake State Fish and Wildlife Area (1)~~
- * ~~Stephen A. Forbes State Park (1)~~
- ~~Tapley Woods State Natural Area~~
- ~~Ten Mile Creek State Fish and Wildlife Area (areas designated as refuge are closed to all access during Canada goose season only) (1); Belle Rive Unit only (4)~~
- ~~Wards Grove State Natural Area (closed during the statewide Youth Deer Hunting Season and Muzzleloader Deer Hunting Seasons; antlerless deer only)~~
- ~~Weldon Springs State Park—Piatt County Unit (an antlerless deer must be taken on the site before an antlered deer is harvested)~~
- ~~Willow Creek State Habitat Area (hunting permitted October 1–31) (1)~~
- ~~Winston Tunnel State Natural Area~~
- ~~Witkowsky State Wildlife Area (opens October 15)~~
- ~~Wolf Creek State Park (an antlerless deer must be taken on the site before an antlered deer is harvested; Illinois residents and non-residents are eligible for the drawing; for Corps of Engineers managed lands not~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

~~managed by the Department, contact Corps of Engineers, Lake Shelbyville office, for specific deer hunting policy) (2) (4)~~

- k) Statewide regulations shall apply except that no hunting is permitted Wednesday through Sunday of the site's permit pheasant season.

Chain O'Lakes State Park (season opens Monday prior to opening of permit pheasant hunting season and closes Tuesday following the close of the permit pheasant hunting season; season reopens on December 26 till close of regular season) ~~(2)-(3)~~ (6)

Iroquois County State Conservation Area ~~(62)~~

Johnson-Sauk Trail State Recreation Area ~~(hunters must obtain a free site-issued permit from the site office prior to hunting; permit must be in hunter's possession while hunting and returned by February 15 to the site office; failure to return the permit shall result in the forfeiture of hunting privileges at this site for the following year) (1) (62)~~

Wayne Fitzgerald State Recreation Area (no bowhunting during controlled hunts as posted at the site) (2)

- l) Statewide regulations shall apply at the following sites except that ~~nonresident:1)Nonresident~~ hunter quotas shall be filled by mail-in drawing. Information about specific drawing dates and application procedures will be publicly announced. Successful applicants will be issued a free permit from the site office. This permit must be in possession while hunting and must be returned and harvest reported to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

- ~~2) Resident hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned and harvest reported to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.~~

Jim Edgar Panther Creek State Fish and Wildlife Area (1) (4) (6)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

* Sangchris Lake State Park (an antlerless deer must be taken on site before an antlered deer is harvested; site will be closed to archery deer hunting during the second firearm deer season) (1) (2) (4) (6)

Siloam Springs State Park ~~(2)~~(4) (6)

m) Statewide regulations shall apply at this site except that ~~hunter: Hunter~~ quotas for specific periods shall be filled by mail-in drawing. Only Illinois residents are eligible to apply. Information about drawing dates and application procedures will be publicly announced. ~~Successful applicants will be notified and required to print a permit at: <http://dnr.state.il.us/lands/landmgt/programs/windshieldecard>. This permit must be displayed and visible inside the vehicle windshield and the pocket portion kept in possession while hunting at the site. Hunters must report their annual harvest online at the web address in this subsection (m) by February 15 (even if hunter did not hunt) or the hunter will forfeit hunting privileges at the site for the following year. Hunters needing assistance accessing the online program can do so from any IDNR site or Regional Office.~~

Hennepin Canal State Trail (hunters must stay in their designated zone; an antlerless deer must be taken on the site before an antlered deer may be taken) ~~(62)~~

James Pate Philip State Park and Heron Woods State Habitat Area

Moraine Hills State Park (6)

Volo Bog State Natural Area (6)

n) Violations of site specific regulations are petty offenses (see 520 ILCS 5/2.20).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Special White-Tailed Deer Season for Disease Control
- 2) Code Citation: 17 Ill. Adm. Code 675
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
675.10	Amendment
675.20	Amendment
675.50	Amendment
675.70	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to make statewide program changes and amend procedures at State sites.
- 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 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:

Julia Lawrence, Legal Counsel
Department of Natural Resources
One Natural Resources Way

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Springfield IL 62702-1271

217/782-1809

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because the need for the amendment was not known when the most recent Regulatory Agenda was published.

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 675
SPECIAL WHITE-TAILED DEER SEASON FOR DISEASE CONTROL

Section

675.10	Chronic Wasting Disease (CWD) Season
675.20	CWD Deer Permit Requirements
675.30	Weapon Requirements for CWD Deer Hunting Season
675.40	CWD Deer Hunting Rules
675.50	Reporting Harvest
675.60	Rejection of Application/Revocation of Permits
675.70	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 29 Ill. Reg. 20454, effective December 2, 2005; amended at 31 Ill. Reg. 1874, effective January 5, 2007; amended at 31 Ill. Reg. 14822, effective October 18, 2007; amended at 32 Ill. Reg. 19731, effective December 4, 2008; amended at 33 Ill. Reg. 11593, effective July 27, 2009; amended at 35 Ill. Reg. 20583, effective December 9, 2011; amended at 37 Ill. Reg. _____, effective _____.

Section 675.10 Chronic Wasting Disease (CWD) Season

- a) Season: One-half hour before sunrise on the first Thursday after December 25 to ½ hour after sunset on the following Sunday, and ½ hour before sunrise on the first Friday after January 11 to ½ hour after sunset on the following Sunday. Shooting hours are ½ hour before sunrise to ½ hour after sunset. Hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).
- b) Open counties: Boone, McHenry, Winnebago, Stephenson, Ogle, LaSalle, JoDaviess, Grundy, Kendall and DeKalb counties and that portion of Kane County west of State Route 47. Additional counties in which CWD foci are

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

identified subsequent to adoption of this Part shall be opened via public announcement (e.g., press release, ~~site posting and publication in Outdoor Illinois~~).

- c) Hunting outside the set season dates or without a valid permit for the area hunted is a Class B misdemeanor (see 520 ILCS 5/2.24). Hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 675.20 CWD Deer Permit Requirements

- a) Hunters must have an unfilled deer permit valid for the previous firearm, muzzleloader or youth deer season and valid for one of the open counties (~~see Section 675.10(b) Boone, McHenry, DeKalb, Kane, Stephenson, Ogle, LaSalle, Jo Daviess, Grundy or Winnebago~~) or a valid CWD Season Deer Permit. A CWD Season Deer Permit is issued for one county or special hunt area and is valid only in the county or special hunt area stated on the permit. Unfilled firearm, muzzleloader or youth deer permits are valid only for the county for which they were originally issued, except that unfilled landowner property-only hunting firearm deer permits are valid only for the farmlands the person to whom it was issued owns, leases, or rents within the open counties/portions of counties.
- 1) Unfilled firearm, muzzleloader or youth deer permits that were originally issued for special hunt areas are not valid during the CWD Season unless:
- A) the hunter's name is redrawn at the daily site lottery to hunt at the same special hunt area during the CWD Season; or
- B) the special hunt area is open to persons with a county permit and the special hunt area does not conduct a daily site lottery.
- 2) Sites conducting a daily site lottery will be announced publicly.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- b) CWD Season Deer Permits are available over-the-counter (OTC) from participating license vendors for a fee of \$5. These permits shall be antlerless-only.
- c) For a Special Hunt Area CWD Season Deer Permit, resident hunters may apply online at [www.dnr.illinois.gov](http://www.dnr.state.il.us/admin/deer.htm) ~~http://www.dnr.state.il.us/admin/deer.htm~~ for a site-specific permit valid for one of the Department's Special Hunt Areas. The application period begins the last Tuesday in October and ends the fourth Monday in November. Permits will be allocated via a lottery drawing. The fee for this permit is \$17.50. These permits shall be antlerless-only.
- d) Hunters purchasing CWD Season Deer Permits must supply all necessary applicant information to the license vendor in order to properly complete the permit.
- e) Permits are not transferable. Refunds will not be granted unless the Department has erroneously issued the permit.
- f) A \$3 service fee will be charged for replacement permits. Monies derived from this source shall be deposited in the Wildlife and Fish Fund.
- g) Recipients of the CWD Season Deer Hunting Permit shall record their signature on the permit and must carry it on their person while hunting.
- h) Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 675.50 Reporting Harvest

- a) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at www.dnr.illinois.gov ~~http://dnr.state.il.us/vcheck~~. They will be provided with a confirmation number to verify that they checked in their harvest. This number must be written by the hunter on the harvest tag (leg tag). If the condition of the tag precludes writing on the tag in the appropriate space (i.e., bloody, etc.), the confirmation number shall be written elsewhere on the tag or onto a piece of

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

paper and attached to the deer along with the temporary harvest tag. The deer must remain whole (or field dressed) until it has been checked in. In instances in which deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:

- 1) For a buck: head with antlers attached to carcass or attached testicle, scrotum, or penis.
 - 2) For a doe: head attached to carcass or attached udder (mammary) or vulva.
- b) The harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the confirmation number must be recorded on the "head tag" portion of the permit and both must remain with the deer while at the taxidermist's. If the carcass is taken to a meat processor, the harvest tag (leg tag) with confirmation number must remain with the deer while it is processed and until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written certification by the person from whom the deer was received that the specimen was legally taken or obtained.
- c) Site-specific reporting requirements must be followed in addition to this Section.
- d) Violation is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 675.70 Regulations at Various Department-Owned or -Managed Sites

Sites will be opened to the CWD Deer Hunting Season only if the site is announced as being open via a public announcement. A drawing will be held at 5:00 a.m. at the site if more hunters show up than can be accommodated at sites announced as having a daily hunter quota (e.g., press

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

| release and/or; site posting ~~and publication in Outdoor Illinois~~). Violation of a site specific regulation is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Late-Winter Deer Hunting Season
- 2) Code Citation: 17 Ill. Adm. Code 680
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
680.10	Amendment
680.20	Amendment
680.50	Amendment
680.60	Amendment
680.80	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to make statewide program changes.
- 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 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:

Julia Lawrence, Legal Counsel
Department of Natural Resources

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

- 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: January 2013

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 680
LATE-WINTER DEER HUNTING SEASON

Section

680.10	Statewide Season
680.20	Statewide Deer Permit Requirements
680.25	Deer Permit Requirements – Free Landowner/Tenant Permits (Repealed)
680.30	Deer Permit Requirements – Group Hunt (Repealed)
680.40	Statewide Firearm Requirements for Late-Winter Deer Hunting
680.50	Statewide Deer Hunting Rules
680.60	Reporting Harvest
680.70	Rejection of Application/Revocation of Permits
680.80	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 15 Ill. Reg. 13353, effective September 3, 1991; amended at 16 Ill. Reg. 15446, effective September 28, 1992; amended at 17 Ill. Reg. 18810, effective October 19, 1993; amended at 18 Ill. Reg. 15739, effective October 18, 1994; amended at 19 Ill. Reg. 15422, effective October 26, 1995; amended at 20 Ill. Reg. 10906, effective August 5, 1996; amended at 21 Ill. Reg. 9128, effective June 26, 1997; amended at 22 Ill. Reg. 14875, effective August 3, 1998; amended at 24 Ill. Reg. 8975, effective June 19, 2000; amended at 26 Ill. Reg. 13820, effective September 5, 2002; emergency amendment at 28 Ill. Reg. 1032, effective January 6, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 2197, effective January 26, 2004; amended at 28 Ill. Reg. 15503, effective November 19, 2004; amended at 29 Ill. Reg. 20462, effective December 2, 2005; amended at 30 Ill. Reg. 14508, effective August 24, 2006; amended at 31 Ill. Reg. 13180, effective August 30, 2007; amended at 32 Ill. Reg. 19736, effective December 3, 2008; amended at 33 Ill. Reg. 11601, effective July 27, 2009; amended at 34 Ill. Reg. 16518, effective October 8, 2010; amended at 35 Ill. Reg. 15242, effective September 2, 2011; amended at 37 Ill. Reg. _____, effective _____.

Section 680.10 Statewide Season

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- a) Season: One-half hour before sunrise on the first Thursday after December 25 to ½ hour after sunset on the following Sunday, and ½ hour before sunrise on the first Friday after January 11 to ½ hour after sunset on the following Sunday. Shooting hours are ½ hour before sunrise to ½ hour after sunset. Hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).
- b) For the purpose of removing surplus deer, the Department of Natural Resources (Department) shall open select counties and sites to firearm deer hunting during the Late-Winter Deer Season. The Department shall notify the public of the counties that are projected to have surplus deer populations via a public announcement.
- ~~e) Counties opened to the Late-Winter Deer Season shall be categorized into two groups:~~
- ~~1) Unit A—consisting of counties with deer populations considerably above goal that require a significant harvest increase; and~~
 - ~~2) Unit B—consisting of counties requiring less significant harvests to maintain or achieve deer population goals.~~
- ~~c)d) Hunting outside the set season dates or without a valid permit for the county hunted in is a Class B misdemeanor (see 520 ILCS 5/2.24). Hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).~~

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 680.20 Statewide Deer Permit Requirements

- a) Illinois resident hunters must have ~~an unfilled deer permit valid for the previous firearm~~ an unfilled deer permit valid for the previous firearm, muzzleloader or youth deer permit valid for the previous firearm, muzzleloader or youth deer season and valid for one of the open counties ~~or a valid Late-Winter Deer Season permit (\$17.50)~~ or a valid Late-Winter Deer Season permit (\$17.50). Nonresident hunters must have

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

an unfilled ~~firearm or muzzleloader~~ deer permit valid for the previous firearm or muzzleloader deer season and valid for one of the open counties. A Late-Winter Deer Season Permit is issued for one county or special hunt area and is valid only in the county or special hunt area stated on the permit. Unfilled firearm, muzzleloader or youth deer permits are valid only for the county for which they were originally issued, except that unfilled landowner property-only hunting firearm deer permits are valid only for the farmlands that the person to whom it was issued owns, leases, or rents within the open counties/portions of counties.

- 1) Unfilled firearm, muzzleloader or youth deer permits that were originally issued for special hunt areas are not valid during the Late-Winter Season unless:
 - A) the hunter's name is redrawn at the daily site lottery to hunt at the same special hunt area during the Late-Winter Season; or
 - B) the special hunt area is open to persons with a county permit and the special hunt area does not conduct a daily site lottery.
 - 2) Sites conducting a daily site lottery will be announced publicly.
- b) Resident Late-Winter Deer Permits will be available for sale over-the-counter (OTC) from agents designated by the Department (pursuant to 17 Ill. Adm. Code 2520) beginning the second Tuesday in December through the last day of the Late-Winter Deer Season. There shall be no limitation on permit sales; resident hunters may purchase as many permits as they wish for any or all of the included counties. ~~For counties in Unit A, there shall be no limitation on permit sales; hunters may purchase as many permits as they wish for any or all of the included counties. For counties in Unit B, hunters may purchase only a single permit for each of the included counties.~~
- c) For a Special Hunt Area permit, resident hunters may apply online at [www.dnr.illinois.gov](http://www.dnr.state.il.us/admin/deer.htm) ~~http://www.dnr.state.il.us/admin/deer.htm~~ for a site-specific permit valid for one of the Department's Special Hunt Areas. The application period begins the last Tuesday in October and ends the fourth Monday in November. Permits will be allocated via a lottery drawing.
- d) For the applicant to be eligible to receive a Late-Winter Deer Permit (\$17.50),

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

he/she must be an Illinois resident and not have had his/her deer hunting privileges suspended or revoked in this State pursuant to Section 3.36 of the Wildlife Code [520 ILCS 5/3.36]. Lifetime licenses issued after August 15, 2006 shall not qualify a non-resident of Illinois for a resident deer permit.

- e) Hunters purchasing Late-Winter Deer Permits must supply all necessary application information to the agents in order to properly complete the permit.
- f) Recipients of the Late-Winter Deer Hunting Permit shall record their signature on the permit and must carry it on their person while hunting.
- g) Permits are not transferable. Refunds shall not be granted unless the Department has erroneously issued the permit.
- h) A \$3 service fee shall be charged for replacement permits. Monies derived from this source shall be deposited in the Wildlife and Fish Fund.
- i) Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 680.50 Statewide Deer Hunting Rules

- a) The bag limit is one antlerless deer per legally authorized permit. Persons using unfilled permits from the previous firearm, muzzleloader or youth deer season (see Section 680.20(a))~~Persons using an unfilled firearm or muzzleloader deer permit valid for the previous firearm or muzzleloader deer season (including landowner permits)~~ may only harvest antlerless deer even when using an either-sex permit. An antlerless deer is a deer without antlers or a deer having antlers less than 3 inches long.
- b) The harvest tag must be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the harvest tag to the deer in the manner prescribed in Section 680.60 and on the permit.
- c) Hunters shall not have in their possession, while in the field during the Late-Winter deer season, any deer permit issued to another person (permits are non-

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

transferrable).

- d) Permits shall not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Disposal of unfit deer taken shall be the responsibility of the hunter. For those hunters participating in the Department's Chronic Wasting Disease Surveillance Program, a free permit for the same county or special hunt area will be made available the subsequent year if their tested deer is determined to have chronic wasting disease.
- e) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24), except unlawful take or possession of 2 or more deer within 90 days is a Class 4 felony, and unlawful take of 2 or more deer as a single act or possession or single course of conduct is a Class 3 felony (see 520 ILCS 5/2.36(a)).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 680.60 Reporting Harvest

- a) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at www.dnr.illinois.gov ~~http://dnr.state.il.us/vcheck~~. They will be provided with a confirmation number to verify that they checked in their harvest. This number must be written by the hunter on the harvest tag (leg tag). If the condition of the tag precludes writing on the tag in the appropriate space (i.e., bloody, etc.), the confirmation number shall be written elsewhere on the tag or onto a piece of paper and attached to the deer along with the temporary harvest tag. The deer must remain whole (or field dressed) until it has been checked in. In instances where deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:
 - 1) For a buck: head with antlers attached to carcass or attached testicle, scrotum, or penis.
 - 2) For a doe: head attached to carcass or attached udder (mammary) or

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

vulva.

- b) The harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the confirmation number must be recorded on the "head tag" portion of the permit and both must remain with the deer while at the taxidermist's. If the carcass is taken to a meat processor, the harvest tag (leg tag) with confirmation number must remain with the deer while it is processed and until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written certification by the person from whom the deer was received that the specimen was legally taken or obtained.
- c) Site specific reporting requirements must be followed in addition to this Section.
- d) Violation is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 680.80 Regulations at Various Department-Owned or -Managed Sites

Sites will be opened to Late-Winter deer hunting only if the site is announced as being open via a public announcement. A drawing will be held at 5:00 a.m. at the site if more hunters show up than can be accommodated at sites announced as having a daily site lottery (e.g., press release ~~and/or~~ site posting ~~and publication in Outdoor Illinois~~). Violation of a site specific regulation is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Construction and Maintenance of Dams
- 2) Code Citation: 17 Ill. Adm. Code 3702
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
3702.30	Amendment
3702.35	New Section
3702.60	Amendment
3702.70	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 23 and 23a of the Rivers, Lakes and Streams Act [615 ILCS 5/23, 23a, and 35]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to provide rules governing construction and filling in the regulatory floodway of rivers, lakes and streams of Cook, DuPage, Kane, Lake, McHenry and Will Counties excluding the City of Chicago and to implement the recent change to the Rivers, Lakes and Streams Act to allow the Department to collect fees of up to \$5,000 per application for permits issued under this Act.
- 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 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:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Shelly Knuppel, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Businesses, municipalities and not for profit corporations desiring to construct a dam would be required to pay a fee in order to apply for a permit.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2013

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER h: WATER RESOURCES

PART 3702

CONSTRUCTION AND MAINTENANCE OF DAMS

Section

3702.10	Purpose
3702.20	Definitions
3702.30	Applicability
3702.35	Permit Application Fee
3702.40	Requirements for Approval of Permits for Construction of New Dams and Major Modifications of Existing Dams
3702.50	Requirements for Approval of Permits for Removal of Dams
3702.60	Application for Permit to Construct New Dams or Make Major Modifications to Existing Dams – Contents
3702.70	Application for Permit to Remove Dams – Contents
3702.80	Dam Breach Wave Advisories
3702.90	Datum for Dam Elevations
3702.100	Permits Not Transferable
3702.110	Acceptance of Other Agency Permits
3702.120	Use of Joint Permit Forms
3702.130	Permit Application
3702.140	Permit Approval
3702.150	Enforcement, Administrative Order, and Judicial Action
3702.160	Dam Owner Non-Compliance
3702.170	Permit, Enforcement, Dam Classification, Existing Dam Spillway Design Variation, and Non-Compliance Hearing Procedures
3702.180	Assistance Concerning Non-Complying Dams
3702.190	Emergency Procedures
3702.200	Standard Permit Conditions

AUTHORITY: Implementing and authorized by Sections 23 and 23a of the Rivers, Lakes and Streams Act [615 ILCS 5/23, 23a, and 35].

SOURCE: Adopted at 4 Ill. Reg. 37, p. 808, effective September 2, 1980; codified at 7 Ill. Reg. 2753; amended at 11 Ill. Reg. 1941, effective January 13, 1987; recodified from 92 Ill. Adm.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Code 702, Department of Transportation, to the Department of Natural Resources at 22 Ill. Reg. 7362; amended at 37 Ill. Reg. _____, effective _____.

Section 3702.30 Applicability

a) Classification

- 1) Dams will be categorized in one of three classes, according to the degree of threat to life and property in the event of a dam failure. The three classes of dams are:
 - A) Class I – Dams located where failure has a high probability for causing loss of life or substantial economic loss in excess of that which would naturally occur downstream of the dam if the dam had not failed. A dam has a high probability for causing loss of life or substantial economic loss if it is located where its failure may cause additional damage to such structures as a home, a hospital, a nursing home, a highly ~~traveled~~travelled roadway, a shopping center, or similar type facilities where people are normally present downstream of the dam. This is similar to U.S. Army Corps of Engineers HIGH HAZARD POTENTIAL category as defined in the Corps Guidelines, and the U.S. Soil Conservation Service Class (c) dams as defined in Soil Conservation Service Technical Release No. 60.
 - B) Class II – Dams located where failure has a moderate probability for causing loss of life or may cause substantial economic loss in excess of that which would naturally occur downstream of the dam if the dam had not failed. A dam has a moderate probability for causing loss of life or substantial economic loss if it is located where its failure may cause additional damage to such structures as ~~to~~a water treatment facility, a sewage treatment facility, a power substation, a city park, a U.S. Route or Illinois Route highway, a railroad or similar type facilities where people are downstream of the dam for only a portion of the day or on a more sporadic basis. This is similar to U.S. Army Corps of Engineers SIGNIFICANT HAZARD POTENTIAL category and the U.S. Soil Conservation Service Class (b) dams.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

C) Class III – Dams located where failure has low probability for causing loss of life, where there are no permanent structures for human habitation, or minimal economic loss in excess of that which would naturally occur downstream of the dam if the dam had not failed. A dam has a low probability for causing loss of life or minimal economic loss if it is located where its failure may cause additional damage to agricultural fields, timber areas, township roads or similar type areas where people seldom are present and where there are few structures. This corresponds to U.S. Army Corps of Engineers LOW HAZARD POTENTIAL category and U.S. Soil Conservation Service Class (a) dams.

2) Dams will be categorized in one of three size classifications. ~~The Such~~ size classifications shall be based on dam height and impounding capacity. If either the height or impounding capacity meets the minimum requirement for the larger size, the dam will be classified in the larger size category.

CLASSIFICATION	IMPOUNDING CAPACITY ACRE-FEET	DAM HEIGHT FEET
Small	<Less than 1,000	<Less than 40
Intermediate	>Greater than 1,000 to <Less than 50,000	>Greater than 40 to <Less than 100
Large	>Greater than 50,000	>Greater than 100

b) New Dams

1) Class I and II Dams
The owner of a proposed Class I or II dam shall obtain ~~ana~~ OWR permit prior to the start of construction. The owner must do all construction and maintenance of the dam in accordance with this Part, ~~as it applies~~ ~~to governing such~~ Class I or II ~~damsdam~~.

2) Class III Dams

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- A) The owner of a proposed Class III dam shall obtain ~~ana~~ OWR permit prior to the start of construction if the dam meets any of the following criteria:
- i) the drainage area of the proposed dam is 6400 acres or more in a ~~rural area~~~~Rural Area~~ or 640 acres or more in an ~~urban area~~~~Urban Area~~; or
 - ii) the dam is 25 feet or more in height, provided that the impounding capacity is greater than 15 acre-feet; or
 - iii) the dam has an impounding capacity of 50 acre-feet or more, provided that the dam height is greater than 6 feet.
- B) If a permit is required for the Class III dam under any of these criteria, then the owner must do all construction and maintenance of the dam in accordance with this Part, ~~as it applies to governing~~ Class III dams.
- c) Existing Dams
- The owner of a dam that was permitted and built in compliance with ~~ana~~ OWR permit before September 2, 1980; and that is currently in good repair shall not be required, except in compliance with ~~Section~~~~Sections~~ 3702.150 or 3702.190, to make changes in the design, structure, or construction of ~~thesuch~~ dam. The owner of a dam that was permitted and built before September 2, 1980, but is not in accordance with the OWR permit or is not in good repair, shall be required to meet all current standards for existing dams. The owner of a dam built after September 2, 1980; shall be required to meet all standards for proposed dams existing at the time of its construction. Operation, maintenance, inspection and financial responsibility standards must be complied with at all dams.
- 1) Class I and II Dams
 - A) OWR has developed an inventory of dams in Illinois. OWR and federal agencies have conducted and are conducting inspections of existing dams having a potential for loss of life or property damage in case of a dam failure. As inspection reports are completed, OWR will furnish in writing to the owner of the dam a detailed and

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

specific list of defects discovered in the course of the inspection of the dam, including the specific nature of any inadequacies of the capacity of the spillway system and any indications of seepage, erosion or other evidence of structural deficiency in the dam or spillway;⁵ together with a statement of the applicable standards of this Part that, found in 17 Ill. Adm. Code 3702 which if complied with by the owner of the dam, will put the dam into compliance with this Part.

- B) If an inspection by OWR₂ or in which OWR concurs₂ finds that a dam is in an unsafe condition, OWR will notify the appropriate officials of the affected city or county, the State's Attorney of the county in which the dam is located, and the Illinois Emergency Management Agency (IEMA)₂; and will assist IEMA₂ in any emergency actions deemed necessary by IEMA that agency.
- C) OWR will notify the ~~dam~~ owner of an inspected whose dam has been inspected if the owner must obtain a permit or amendment to an existing permit for the dam. Separate permit applications are required for each dam.
- D) If an existing Class I or II dam has been inspected and found to have serious deficiencies requiring major modifications, then within 90 days after receipt of notice from OWR that a permit or amendment to an existing permit is required under this Part, the owner of thea Class I or II dam must provide written assurance to OWR of the following: the owner's intention to rectify the deficiencies noted, the date which the owner will submit a completed permit application, the time frame for initiating and completing the appropriate remedial measures, and the methods and designs to be used for the remedial measures.
- E) If an existing Class I or II dam has been inspected and found to have no serious deficiencies requiring major modifications, OWR will notify the owner of the dam that ithe must submit₂ within 90 days₂ a permit application including the following₂ if the followingsueh has not been previously provided to OWR:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- i) an Operating Plan (Section 3702.40(b)(4));
 - ii) a Maintenance Plan (Section 3702.40(b)(5));
 - iii) a Financial Responsibility Statement (Section 3702.40(b)(6)); and
 - iv) a Right of Access Statement (Section 3702.40(b)(7)(A)).
- F) An owner initiating major modifications to an existing Class I or Class II dam must obtain a new permit or amendment to an existing permit prior to the initiation of the modifications.
- 2) Class III Dams
- A) Using the inventory of dams or other similar information, OWR, over a period of time, upon receipt of a complaint or upon its own investigation, may contact owners of those existing Class III dams ~~that:~~which
- i) have a drainage area of 6400 acres or more in a rural area~~Rural Area~~ or 640 acres or more in an urban area~~Urban Area~~; or
 - ii) are 25 feet or more in height, provided that the impounding capacity is greater than 15 acre-feet~~;~~; or
 - iii) have an impounding capacity of 50 acre-feet or more~~;~~, provided that the dam height is greater than 6 feet.
- B) OWR will inform the owners of ~~thesueh~~ dams that they must submit to OWR a maintenance program and a statement indicating actions to be taken to remedy the noted deficiencies.
- C) If an inspection by OWR~~;~~, or in which OWR concurs~~;~~, finds that a dam is in an unsafe condition, OWR will notify the appropriate officials of the affected city or county, the State's Attorney of the county in which the dam is located, and IEMA.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- D) Owners of existing Class III dams in locations where there is potential for downstream urban development, which could cause a change in dam classification in the foreseeable future, when so notified by OWR, shall be required to report annually the existing land uses downstream of the dam. Extent of downstream land use to be reported is dependent upon factors such as slope and width of flood plain and density and intensity of downstream development. Extent downstream will not exceed 2 miles unless otherwise indicated by OWR. The owner may provide information indicating that an extent downstream ~~which is~~ shorter than 2 miles is appropriate. The width of flood plain shall be the width of the area inundated by the 100-year flood.
- E) Owners of Class III dams desiring to make major modifications to their dams shall obtain ~~an~~ OWR permit or an amendment to an existing OWR permit for the work prior to the initiation of the modifications.
- d) Designation by OWR of Dam Classification
Before assigning or changing the dam classification for a new or existing dam, OWR shall give notice and opportunity for hearing pursuant to Section 3702.170 to the applicant or existing dam owner and other interested persons of ~~that such~~ action.
- 1) Initial Assignment of Dam Classification
- A) New Dams
The classification of new dams will be based upon information available to OWR. ~~This Such~~ information includes, but is not limited to, ~~USGS U.S.G.S.~~ quadrangle maps of the downstream area, the preliminary report and support data from the owner's engineer, known elevations of structures downstream of the proposed dam, information from the public, and previous study data. ~~This Such~~ information is available from ~~OWR in-house~~ data and data supplied by the owner's engineer, the public ~~and~~ federal or ~~State state~~ agencies. The owner of the proposed dam shall submit information to establish the degree of threat to life and

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

property damage in the event of a dam failure.

B) Existing Dams

- i) The classification of existing dams ~~that~~^{which} have been inspected by the U.S. Army Corps of Engineers, other federal agencies, or OWR will be based upon ~~that~~^{the} agency's inspection report.
- ii) The classification of existing dams ~~that~~^{which} have not been inspected by ~~a~~ federal agency or OWR but ~~that~~^{which} have had major modifications proposed by the dam owner will be processed as new dams in accordance with ~~subsection~~ Section 3702.30(d)(1)(A).

2) Change in Dam Classification

Upon receipt and verification of information indicating that significant change in the degree of threat to life or property from a dam failure has occurred since the dam's original classification, the classification of that dam shall be changed to reflect the new hazard potential. Upon reclassification, the dam owner shall be subject to the applicable dam safety requirements for the current classification (~~subsection~~ Section 3702.30(c)).

e) Removal of Dams

The owner of a Class I, II or III dam ~~as defined in this Part~~, who wishes to remove ~~this~~ dam, shall obtain, prior to the initiation of the dam removal, ~~an~~ OWR permit to remove the dam in accordance with Section 3702.50 governing the removal of dams.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 3702.35 Permit Application Fee

- a) Permit applicants must pay a non-refundable permit application fee. The fee will be the sum of the two following components:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) The initial review fee component of \$500 for all applications. This component is due upon submittal of a permit application. Application processing shall not be initiated until the initial review fee is received; and
- 2) The principal review fee component shall be determined by the Department, and the applicant shall be notified of that determination, immediately after the initial review of the application. As outlined in this subsection (a)(2), the fee component shall be calculated based on the determination of the base principal review fee component, the application of an escalation adjustment factor, and the addition of the principal review fee due under any other applicable Parts. Further processing of the application will not be initiated until the principal review fee is received.

A) The base principal review fee component will be as follows:

Permit Not Required

Applicable only for certain Class III dams \$500

Construction of New Dam

Class I & II \$4500

Class III \$4000

Major Modification of Existing Dam

Class I & II \$3000

Class III \$2000

Operating Authorization for Existing Dam

(as required under Sections 3702.30(c)(1)(E)

and 3702.100)

All classifications \$1000

Removal of Dam

All classifications \$2000

B) Annual Escalation Adjustment

- i) The base principal review fee amounts listed in subsection (a)(2)(A) shall be adjusted on July 1 each year to account

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

for inflation. The U.S. Bureau of Labor Statistics' Consumer Price Index Table for all urban consumers (CPI-U), U.S. city average, all items, base period 1982-1984=100 (Series ID: CUUR0000SA0) (available on the U.S. Bureau of Labor Statistics' website) shall be used to calculate the adjustment factor. The adjustment factor shall be directly proportional to the change in the CPI since June 2013 and shall be calculated according to the following formula:

$$\text{Adjustment factor} = [\text{CPI (May of current year} - \text{CPI (June 2013)}] \div \text{CPI (June 2013)}$$

ii) The base fee amount on the schedule shall be multiplied by this factor and rounded to the nearest \$10 to compute the principal review fee component for the coming fiscal year (July 1 through June 30). To prevent the total permit application fee from exceeding \$5000, the principal review component shall be capped at \$4500. The dollar amounts that result from these calculations will be posted on the Department's website at www.dnr.illinois.gov.

C) The Principal Review Fee Component for Multiple-Regulation Projects

If the construction activity being applied for also requires authorization under 17 Ill. Adm. Code 3700, 3704 and/or 3708, the principal review fee components for each Part shall be added to calculate the total principal review fee. To prevent the total permit application fee from exceeding \$5000, the total principal review fee component shall be capped at \$4500.

b) Submission of Fees

1) Except when possible through electronic fee submittal, the applicant shall submit the required fee amount in the form of a check or money order made payable to the Illinois Department of Natural Resources.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 2) If an application is submitted without the required initial review fee, or with an inadequate fee amount, the applicant shall be informed of the required fee and review of the application shall be held in abeyance until the fee is received.
 - 3) If the principal review fee is not received within 90 days after the Department's notification of the amount of that fee, the application shall be **deemed** withdrawn. A new application and accompanying initial review fee will need to be submitted to restart the application process.
 - 4) Failure of a permit application fee payment to clear the bank it is drawn against will result in the automatic withdrawal of the application.
 - 5) All fees shall be deposited into the State Boating Act Fund (see 615 ILCS 5/35).
- c) Refund of Permit Application Fees
Except for refunding of overpayments, permit application fees shall not be refunded. Application fees are tendered for consideration of the application only and do not imply any promise of permit issuance by the Department.

(Source: Added at 37 Ill. Reg. _____, effective _____)

Section 3702.60 Application for Permit to Construct New Dams or Make Major Modifications to Existing Dams – Contents

Application for a permit shall be made on forms provided by OWR. Separate applications are required for each dam. The application shall include, as a minimum:

- a) Construction plans and documents, sealed, signed and dated by an engineer, stating that the dam design and construction documents have been prepared under the engineer's personal supervision and are in conformance with this Part.
- b) For all Class I and II dams, and for Class III dams when the dam height multiplied by the impounding capacity is greater than 300, computations for structural and geotechnical design of the dam.
- c) Computations for the hydrologic and hydraulic design of the spillway or

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

combination of the spillway and the outlet works.

- d) For Class I and II dams, computations for the design flood and the 100-year frequency flood routed through the design spillway system.
- e) For Class I and II dams, computations for the dam breach wave analysis for downstream impacts.
- f) Computations of length of time required to dewater the reservoir, together with a detailed plan indicating methods of dewatering for normal and emergency conditions.
- g) Computations for the design of minimum dam height, including freeboard.
- h) Sketch showing flood plain land use downstream of the dam.
- i) Computations for the design of the energy dissipating structures, including an assessment of the impact of the design discharges and other critical flows in downstream channels immediately below the energy dissipators.
- j) Time schedule for the construction of the dam (applicant must notify OWR immediately if any advances in the schedule are made).
- k) Agreement of the applicant to provide as-built plans and specifications upon completion of construction. These plans and specifications shall be signed by the engineer or other qualified personnel who was responsible for inspection during the construction.
- l) For all Class I and II dams, a detailed plan for inspection of the dam and its appurtenances during construction, immediately after completion, at frequent intervals during initial filling of the reservoir, and for a one-year period immediately following completion of the filling. Inspections during the initial filling shall be conducted at least every 30 days. Additional inspections will be required after major storms or seismic events. Following a seismic event, OWR will consult with [IEMA/ESDA](#) and university seismic experts to determine when additional inspections will be required.
- m) For all Class I and II dams, and for Class III dams ~~when~~ the height

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

multiplied by impounding capacity is greater than 300, authorization for the State, in the event that a dam is found by OWR to be in imminent danger of failure, to enter upon the dam property if necessary to prevent or alleviate dam breach damage pursuant to Section 3702.190, and agreement by the applicant to compensate the State for costs reasonably incurred by ~~such~~ emergency action.

- n) Right of access authorization for the State to inspect the dam site and immediate vicinity before, during and after construction and for the life of the dam and its appurtenances. OWR shall notify the owner 10 days in advance of any inspection other than an emergency inspection.
- o) For Class I and II dams, an operational plan.
- p) For all Class I and II dams, and for Class III dams whenwhere the dam height multiplied by the impounding capacity is greater than 300, a maintenance plan.
- q) For Class I and II dams, a financial responsibility statement.
- r) Copies of ownership documents or flood easement agreements for all land that will be inundated in the reservoir up to the 100-year frequency flood pool elevation, or hydraulic computations showing no increase in the flood pool elevations above existing conditions for floods up to the 100-year frequency flood.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 3702.70 Application for Permit to Remove Dams – Contents

Application for a permit to remove a dam shall be made on forms provided by OWR. Separate applications are required for each dam. The application shall include, as a minimum:

- a) Plans and documents, sealed, signed and dated by an engineer, stating that the design documents have been prepared under the engineer's personal supervision and are in conformance with this Part.
- b) Computations for design of the method and timing for dewatering the reservoir.
- c) Design plans and computations to effect the breach, including size of breach,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

shape of breach and disposal of spoil material.

- d) Plans and computations for controlling erosion at the site of the breach during and after the breach ~~has been effected~~.
- e) Computations detailing the effects of the breach on the channel downstream of the breach.
- f) Plans and computations for restoring the channel upstream of the breach.
- g) Plans and computations for control of sediment deposits in the reservoir.
- h) Plans for the restoration of the bed of the reservoir.
- i) Plans for maintenance of the breach, downstream and upstream channels, and reservoir bed.
- j) A time schedule for initiation and completion of all phases of the removal of the dam operation.
- k) Agreement of the applicant to provide as-built plans upon completion of removal. These plans shall be signed by the engineer or other qualified personnel who was responsible for inspection during the removal.
- l) Right of access authorization for the State to inspect the breach site and vicinity; before, during and after breaching operations and until restoration of the stream and impacted area is complete.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) Section Number: 1030.APPENDIX A Proposed Action: Amendment
- 4) Statutory Authority: 625 ILCS 5/6-103(5) & (8) and 625 ILCS 5/6-106(b)
- 5) A Complete Description of the Subjects and Issues Involved: Every applicant for a driver's license is asked, and is required to answer, seven questions ranging from whether the applicant holds a driver's license in another state to their ability to safely operate a motor vehicle. These questions are intended to ensure the Secretary of State does not issue a driver's license to any person who is prohibited from being licensed under Section 5/6-103 of the Illinois Vehicle Code.

The Secretary of State received a request from a legal aid organization to modify question four of the application so that it is more narrowly tailored to an applicant's ability to safely drive. Question four is meant to ensure compliance with 6-103(5). Question seven of the application is meant to ensure compliance with 6-103(8). While this rulemaking does not incorporate the specific language suggested by the legal clinic, it does amend questions four and seven to more narrowly tailor each question to the specific provision of the Illinois Vehicle Code. Specifically, question four focuses on whether the applicant is under guardianship, and question seven relates to the applicant's ability to safely drive a motor vehicle.

- 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

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
1030.91	Amendment	37 Ill. Reg. 2450; February 22, 2013
1030.92	Amendment	37 Ill. Reg. 2450; February 22, 2013
1030.94	Amendment	37 Ill. Reg. 2450; February 22, 2013
1030.115	Amendment	37 Ill. Reg. 2450; February 22, 2013
1030.APPENDIX B	Amendment	37 Ill. Reg. 2450; February 22, 2013

- 11) Statement of Statewide Policy Objectives: The rulemaking will not create or enlarge a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Text of the prepared amendments is 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:
- Jennifer Egizii
Office of the Secretary of State
Driver Services Department
2701 South Dirksen Parkway
Springfield, Illinois 62723
- 217-557-4462
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of Professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two recent agendas because the need for this rulemaking was not anticipated at the time the agendas were published.

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

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

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

Section	
1030.1	Definitions
1030.10	What Persons Shall Not be Licensed or Granted Permits
1030.11	Procedure for Obtaining a Driver's License/Temporary Visitor's Driver's License
1030.12	Identification Cards for the Homeless
1030.13	Denial of License or Permit
1030.14	Emergency Contact Database
1030.15	Cite for Re-testing
1030.16	Physical and Mental Evaluation
1030.17	Errors in Issuance of Driver's License/Cancellation
1030.18	Medical Criteria Affecting Driver Performance
1030.20	Classification of Drivers – References (Repealed)
1030.22	Medical Examiner's Certificate – CDL Holders
1030.25	Safe Driver License Renewals
1030.30	Classification Standards
1030.40	Fifth Wheel Equipped Trucks
1030.50	Bus Driver's Authority, Religious Organization and Senior Citizen Transportation
1030.55	Commuter Van Driver Operating a For-Profit Ridesharing Arrangement
1030.60	Third-Party Certification Program
1030.63	Religious Exemption for Social Security Numbers (Repealed)
1030.65	Instruction Permits
1030.70	Driver's License Testing/Vision Screening
1030.75	Driver's License Testing/Vision Screening With Vision Aid Arrangements Other Than Standard Eye Glasses or Contact Lenses
1030.80	Driver's License Testing/Written Test
1030.81	Endorsements
1030.82	Charter Bus Driver Endorsement Requirements
1030.83	Hazardous Material Endorsement
1030.84	Vehicle Inspection
1030.85	Driver's License Testing/Road Test
1030.86	Multiple Attempts – Written and/or Road Tests
1030.88	Exemption of Facility Administered Road Test

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1030.89 Temporary Driver's Licenses and Temporary Instruction Permits
- 1030.90 Requirement for Photograph and Signature of Licensee on Driver's License
- 1030.91 Disabled Person Identification Card
- 1030.92 Restrictions
- 1030.93 Restricted Local Licenses
- 1030.94 Duplicate or Corrected Driver's License or Instruction Permit
- 1030.95 Consular Licenses (Repealed)
- 1030.96 Seasonal Restricted Commercial Driver's License
- 1030.97 Invalidation of a Driver's License, Permit and/or Driving Privilege
- 1030.98 School Bus Endorsement or Instruction Permit
- 1030.100 Anatomical Gift Donor (Repealed)
- 1030.110 Emergency Medical Information Card
- 1030.115 Change-of-Address
- 1030.120 Issuance of a Probationary License
- 1030.130 Grounds for Cancellation of a Probationary License
- 1030.140 Use of Captured Images
- 1030.APPENDIX A Questions Asked of a Driver's License Applicant
- 1030.APPENDIX B Acceptable Identification Documents

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

SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 15130, effective September 2, 1986; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 11, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; emergency amendment at 16 Ill. Reg. 12228, effective July 16, 1992, for a maximum of 150 days; emergency expired on December 13, 1992; amended at 16 Ill. Reg. 18087, effective November 17, 1992; emergency amendment at 17 Ill. Reg. 1219, effective January 13, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2025, effective February 1, 1993; amended at 17 Ill. Reg. 7065, effective May 3, 1993; amended at 17 Ill. Reg. 8275, effective May 24, 1993; amended at 17 Ill. Reg. 8522, effective May 27, 1993; amended at 17 Ill. Reg. 19315, effective October 22, 1993; amended at 18 Ill. Reg. 1591, effective January 14, 1994; amended at 18 Ill. Reg. 7478, effective May 2, 1994; amended at 18 Ill. Reg. 16457, effective October 24, 1994; amended at 19 Ill. Reg. 10159, effective June 29, 1995; amended at 20 Ill. Reg. 3891, effective February 14, 1996; emergency amendment at 20 Ill. Reg. 8358, effective June 4, 1996, for a maximum of 150 days; emergency amendment repealed in response to an objection of the Joint Committee on Administrative Rules at 20 Ill. Reg. 14279; amended at 21 Ill. Reg. 6588, effective May 19, 1997; amended at 21 Ill. Reg. 10992, effective July 29, 1997; amended at 22 Ill. Reg. 1466, effective January 1, 1998; emergency amendment at 23 Ill. Reg. 9552, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13947, effective November 8, 1999; amended at 24 Ill. Reg. 1259, effective January 7, 2000; emergency amendment at 24 Ill. Reg. 1686, effective January 13, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 6955, effective April 24, 2000; emergency amendment at 24 Ill. Reg. 13044, effective August 10, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18400, effective December 4, 2000; amended at 25 Ill. Reg. 959, effective January 5, 2001; amended at 25 Ill. Reg. 7742, effective June 5, 2001; amended at 25 Ill. Reg. 12646, effective September 24, 2001; emergency amendment at 25 Ill. Reg. 12658, effective September 24, 2001, for a maximum of 150 days; emergency expired February 20, 2002; amended at 26 Ill. Reg. 9961, effective June 24, 2002; amended at 27 Ill. Reg. 855, effective January 3, 2003; emergency amendment at 27 Ill. Reg. 7340, effective April 14, 2003, for a maximum of 150 days; emergency expired September 10, 2003; emergency amendment at 27 Ill. Reg. 16968, effective October 17, 2003, for a maximum of 150 days; emergency expired March 14, 2004; emergency amendment at 28 Ill. Reg. 384, effective January 1, 2004, for a maximum of 150 days; emergency expired May 29, 2004; amended at 28 Ill. Reg. 8895, effective June 14, 2004; amended at 28 Ill. Reg. 10776, effective July 13, 2004; amended at 29 Ill. Reg. 920, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2469, effective January 31, 2005, for a maximum of 150 days; emergency expired June 29, 2005; amended at 29 Ill. Reg. 9488, effective June 17, 2005; amended at 29 Ill. Reg. 12519, effective July 28, 2005; amended at 29 Ill. Reg. 13237, effective August 11, 2005;

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

amended at 29 Ill. Reg. 13580, effective August 16, 2005; amended at 30 Ill. Reg. 910, effective January 6, 2006; amended at 30 Ill. Reg. 5621, effective March 7, 2006; amended at 30 Ill. Reg. 11365, effective June 15, 2006; emergency amendment at 30 Ill. Reg. 11409, effective June 19, 2006, for a maximum of 150 days; emergency expired November 15, 2006; amended at 31 Ill. Reg. 4782, effective March 12, 2007; amended at 31 Ill. Reg. 5096, effective March 15, 2007; amended at 31 Ill. Reg. 5864, effective March 29, 2007; amended at 31 Ill. Reg. 6370, effective April 12, 2007; amended at 31 Ill. Reg. 7643, effective May 16, 2007; amended at 31 Ill. Reg. 11342, effective July 18, 2007; amended at 31 Ill. Reg. 14547, effective October 9, 2007; amended at 31 Ill. Reg. 14849, effective October 22, 2007; amended at 31 Ill. Reg. 16543, effective November 27, 2007; amended at 31 Ill. Reg. 16843, effective January 1, 2008; emergency amendment at 32 Ill. Reg. 208, effective January 2, 2008, for a maximum of 150 days; amended at 32 Ill. Reg. 6544, effective April 4, 2008; amended at 33 Ill. Reg. 2391, effective January 21, 2009; amended at 33 Ill. Reg. 8489, effective June 5, 2009; amended at 33 Ill. Reg. 9794, effective June 29, 2009; amended at 33 Ill. Reg. 11620, effective July 22, 2009; amended at 33 Ill. Reg. 14185, effective September 28, 2009; amended at 34 Ill. Reg. 563, effective December 22, 2009; amended at 34 Ill. Reg. 9457, effective June 23, 2010; amended at 34 Ill. Reg. 15418, effective September 22, 2010; amended at 34 Ill. Reg. 19071, effective November 22, 2010; amended at 35 Ill. Reg. 2197, effective January 21, 2011; amended at 35 Ill. Reg. 4692, effective March 3, 2011; amended at 35 Ill. Reg. 19664, effective November 23, 2011; amended at 36 Ill. Reg. 3924, effective February 27, 2012; amended at 36 Ill. Reg. 7255, effective April 26, 2012; amended at 36 Ill. Reg. 14755, effective September 18, 2012; amended at 37 Ill. Reg. _____, effective _____.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

Section 1030.APPENDIX A Questions Asked of a Driver's License Applicant

The following questions shall appear on or be provided with an application for a driver's license:

If you are applying for an Identification (ID) Card review questions 1 and 2; for a Driver's License, review questions 1 through 7; for a Commercial Driver's License, review questions 1 through 10 and question 13; or for a Temporary Visitor's Driver's License, review questions 1 through 7, 11 and 12.

- 1) Is your driver's license or ID card or privilege to obtain a license or ID card suspended, revoked, canceled or refused in any state under this or any other name? (If yes, a letter of clearance is required.)
- 2) Do you presently hold a valid driver's license or ID card in this or any other state?
- 3) Is your driver's license being held by a court in lieu of bail?
- 4) Are you currently under a court order of guardianship? (If yes, a medical report is required.) ~~Has a court found you to have a mental disability or disease or has a court committed you to a mental health facility? (If yes, copies of related court order and/or physician's statement will be required.)~~
- 5) Do you have any condition that might cause a temporary loss of consciousness? (If yes, a physician's statement and a signed medical agreement are required.)
- 6) Do you have any mental or physical condition that might interfere with safe driving? (If yes, a physician's statement and a signed medical agreement are required.)
- 7) Do you use any drugs, including prescription medication, or alcohol to an extent that they impair your driving ability or has a court committed you to a mental health facility within the last four years? (If yes, a medical report is ~~physician's statement and a signed medical agreement may be~~ required.)
- 8) Are your commercial driver's license privileges currently disqualified or

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

subject to an out-of-service order?

- 9) Do you certify that you meet the "Qualifications of Driver's" portion of Part 391 of the Federal Motor Carrier Safety Regulations? If no, indicate why you are not subject to these qualifications. _____

- 10) Do you certify that you meet the hearing requirements outlined in 49 CFR 391.41(b)(11)?

I understand that my social security number will be disclosed to other states pursuant to the Commercial Motor Vehicle Safety Act of 1986 (applies only to CDL applicants).

- 11) Do you certify that you temporarily reside in Illinois and are ineligible for a social security number?
- 12) Do you certify that you are authorized by the U.S. Citizenship and Immigration Services to be legally present in this country and authorize the Secretary of State's Office to verify that information?
- 13) Have you been licensed in any other state in the last 10 years?

(Source: Amended at 37 Ill. Reg. _____, effective _____)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Driver Education
- 2) Code Citation: 23 Ill. Adm. Code 252
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
252.20	Amendment
252.30	Amendment
252.40	Amendment
- 4) Statutory Authority: 105 ILCS 5/27-24 through 27-24.10
- 5) Effective Date of Amendments: May 2, 2013
- 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: December 28, 2012; 36 Ill. Reg. 18508
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: In Section 252.20(b), clarification was added to state that the rule does not allow school districts to only offer the behind-the-wheel component of the course during the summer.

The final rules also include other nonsubstantive changes requested by the Joint Committee on Administrative Rules.
- 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 other proposed rulemakings pending on this Part? No

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 15) Summary and Purpose of Amendments: P.A. 96-1374, effective July 29, 2010, established the Instructional Mandates Task Force, which was charged with reviewing instructional mandates currently placed on school districts and making recommendations regarding the relaxation or elimination of those mandates. The task force issued its report in June 2011, and of particular interest to the group were mandates concerning driver education. Specifically, the task force suggested increasing flexibility of school districts to offer behind-the-wheel instruction before and after school, in the evening or on weekends without the need to also offer it during the regular school day. (See Section 252.20(b).) This change will assist school districts that are no longer allowed to use simulators, range driving and the like to meet the behind-the-wheel requirement, as those options were eliminated from the law and rules in 2009.

P.A. 97-1025, effective January 1, 2013, amended Section 2-3.25g of the School Code relative to requirements for school districts that, through a waiver of agency rules, enter into a contract to provide driver's education through a commercial driving school. New Section 252.20(e)(2) reminds school districts of their obligation to post the contract with the commercial driver school on the district's internet website or to make it available upon request, notify the State Board of any personnel changes, and maintain records of all materials related to the waiver application for the term of the waiver's approval.

Additionally, P.A. 97-1025 amended Section 27-24.4 of the School Code, regarding reimbursement for students completing driver's education. The law clarifies the responsibility of a private school student's school district of residence, the school district where the student enrolls in driver's education or the student's parents for paying the cost (as defined in the law) of the driver's education course. The law now provides that the parents of the nonpublic school student are responsible for reimbursing the nonresident district the amount that exceeds the cost of providing the course by the resident district. Section 252.30(a)(2) contains a cross-reference to this statutory provision.

Finally, P.A. 97-1025 added Section 27-24.9 of the School Code, which requires the State Board of Education, in consultation with the Secretary of State (SOS), to adopt course content standards for driver education. SOS adopted standards, which address operation and equipment of motor vehicles, in March. Section 252.20(c)(1) includes a cross-reference to those standards.

P.A. 97-607, effective August 26, 2011, has resulted in minor changes being proposed in Section 252.40 regarding the issuance of "licenses" rather than "certificates". This law

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

created the educator licensure system, which will take effect July 1, 2013, necessitating the change in terminology used in this Part.

Other technical changes also clarify certain of the rules' requirements, in particular Section 252.20(c)(3), which acknowledges that the requirement for a student driver to have observers in the car during behind-the-wheel instruction would not apply if a student's Individualized Education Program stipulates otherwise.

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

Tim Imler
Division Administrator
Division of Funding and Disbursements
Illinois State Board of Education
100 North First Street, E-320
Springfield, Illinois 62777

217/782-5256

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

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER g: SPECIAL COURSES OF STUDY

PART 252

DRIVER EDUCATION

Section

252.10	Definitions
252.20	Administration and Procedures
252.25	Eligibility of Students
252.30	The Terms of Reimbursement for Public School Participation in the Course
252.40	Driver Education Personnel Requirements
252.50	Commercial Schools (Transferred)

AUTHORITY: Implementing and authorized by the Driver Education Act [105 ILCS 5/27-24 through 27-24.10].

SOURCE: Adopted September 4, 1975; codified at 8 Ill. Reg. 1585; emergency amendment at 9 Ill. Reg. 15558, effective October 1, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 12922, effective July 22, 1986; Section 252.50 transferred to 92 Ill. Adm. Code 1060.240 (Secretary of State) pursuant to Section 5-80(d) of the Illinois Administrative Procedure Act [5 ILCS 100/5-80(d)] and Section 6-411 of the Illinois Driver License Law [625 ILCS 5/6-411] at 11 Ill. Reg. 1631; amended at 18 Ill. Reg. 16307, effective October 25, 1994; amended at 22 Ill. Reg. 7577, effective April 17, 1998; amended at 26 Ill. Reg. 10476, effective July 1, 2002; amended at 28 Ill. Reg. 15481, effective November 22, 2004; amended at 29 Ill. Reg. 15936, effective October 3, 2005; amended at 32 Ill. Reg. 10922, effective July 7, 2008; amended at 33 Ill. Reg. 15273, effective October 20, 2009; amended at 34 Ill. Reg. 3018, effective February 18, 2010; amended at 37 Ill. Reg. 6639, effective May 2, 2013.

Section 252.20 Administration and Procedures

- a) Availability of the Course – Any public school district maintaining grades 9 through 12 must provide the driver education course for any legal resident of the district between the ages of 15 and 21 years who requests the course, provided ~~the~~ resident is eligible as set forth in Section 27-24.2 of the School Code. All eligible students who reside in a school district must be provided an equal

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

opportunity to enroll in driver education, and school districts are obligated to make the driver education course available within a reasonable length of time after each individual's declaration of intent is made. A "reasonable length of time" shall be determined based on the student's individual needs and the school district's ability to meet those needs, provided that the course must be offered within 12 months after the declaration of intent.

- 1) Public school districts that include high schools must provide the driver education course for all eligible students of the district who attend a nonpublic school that does not offer the course.
 - 2) Nonpublic schools may offer a driver education course at their own expense.
 - 3) Public school districts that include high schools must provide the driver education course for all eligible Illinois students, regardless of the district of their residence, who attend a nonpublic school located within that school district's boundaries when application is made by the administrators of the nonpublic school. ~~The~~*Such an* application shall constitute a declaration of intent by the affected student or students. *By April 1, the nonpublic school shall notify the district offering the course of the names and district numbers of the nonresident students desiring to take such a course the next school year. The district offering the course shall notify the district of residence of those students affected by April 15.* [105 ILCS 5/27-24.4]
 - 4) An eligible student may elect to enroll in a driver education course at a commercial driver training school at his or her expense.
- b) When to Offer the Course – ~~The classroom portion~~*Any school district that includes one or more high schools offering a driver education course must offer both portions* of the course shall be during the school day and may ~~be offered~~*offer either or both portions* at other times: *(i.e., before or after school, in the evenings or on weekends).* The school district shall determine when to offer the behind-the-wheel portion of the course during the regular school year, which may be during the school day, at times other than during the school day, or through a combination of both options; however, this subsection (b) shall not authorize a school district to offer behind-the-wheel instruction only during the summer.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

(Also see [subsection \(c\)\(1\).](#))

- 1) Enrollment in a driver education course must be closed at the inception of the course, except as provided in subsection (b)(2) of this Section. Another course may be started when enrollment warrants.
- 2) A student who transfers to a new school after the inception of the driver education course at that school may be allowed to enroll in the course under the following conditions.
 - A) The driver education course in which the student was enrolled at the previous school offered 30 clock hours of classroom instruction and 6 clock hours of behind-the-wheel instruction.
 - B) The length of time the student previously participated in the driver education course (prior to his or her transfer) is sufficient to allow the student to complete the course at the new school within the time during which it is offered.
 - C) The new school has received verification, either by mail or in an electronic format, of the student's previous participation in the driver education course (i.e., length of time in the course, ~~grades~~[grade\(s\)](#) received). The verification shall be placed in the student's temporary school record as defined in 23 Ill. Adm. Code 375.10.
- 3) *A ~~high school~~[high school](#) student may be allowed to commence the classroom instruction part of the driver education course prior to reaching age 15 if the student will be eligible to complete the entire course within 12 months after being allowed to commence classroom instruction. (See Section 27-24.2 of the School Code.)*
- c) Course Organization – Driver education courses must be organized according to the standards established in the Driver Education Act [105 ILCS 5/27-24 through [27-24.10](#)~~27-24.8~~] and this Part.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1) The classroom and the behind-the-wheel instruction shall be aligned to the course content standards set forth at 92 Ill. Adm. Code 1060.181 (Teen Accreditation Classroom and Behind-the-Wheel Requirements).
- 2)4) The classroom and the behind-the-wheel instruction each must be scheduled regularly throughout a period of not less than six complete weeks (four weeks allowable in summer courses and for schools using block scheduling).
- 3)2) Behind-the-wheel instruction shall not begin until the student has started classroom instruction; however, a student may be enrolled in both portions of the course on a concurrent basis.
- 4)3) At least one but not more than three student observers must be in the car during behind-the-wheel instruction. At least one hour of observation time is required for each hour of behind-the-wheel instruction. This subsection (c)(4) does not apply when a student's Individualized Education Program stipulates that the student receive behind-the-wheel instruction separately.
- d) Dual-Control Cars – The instructor shall occupy the front passenger seat. The driver education car is to be used for instructional purposes. A school district may not use the driver education car for purposes other than those designated by agreement or contract.
- e) Contracting – In fulfilling the requirements of the Driver Education Act, a public school district must either offer the course in its own school or must provide the course for its students, and any other legal residents of the school district who request the course, through a joint agreement with another public school district or through the provisions of cooperative school district programs. Schools offering a driver education course shall not contract for the course from any individual or commercial driver training school, except as provided in subsection (e)(1)(f) of this Section or through a waiver approved pursuant to Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g].
- 1)f) A public school district may contract for the provision of the behind-the-wheel portion of the course for students who have physical limitations that would require the use of a specially equipped car or for students who

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

require other specialized instruction (e.g., vision or hearing impairments, cognitive disabilities) provided that:

- A)1) the facility is approved by the Illinois Secretary of State (SOS) as meeting all of the requirements of Chapter 6, Article IV of the Illinois Vehicle Code ~~[625 ILCS 5/Ch. 6, Art. IV]~~~~[625 ILCS 5/Art. IV]~~ and of rules promulgated by SOS (see 92 Ill. Adm. Code 1030 (Issuance of Licenses));
- B)2) each instructor providing instruction to the public school district's students is certified as a Driver Rehabilitation Specialist by the ADED – the Association for Driver Rehabilitation Specialists (see <http://www.driver-ed.org/i4a/pages/index.cfm?pageid=1>), ~~200 First Avenue NW, Suite 505, 2425 N. Center Street, #369~~, Hickory, North Carolina 28601); and
- C)3) the facility conducts an evaluation of the student's physical and cognitive abilities to determine the individualized course of instruction.

2) Subject to the limitations set forth in Section 2-3.25g(d) of the School Code, a district that provides driver education through a contract with a commercial driver training school pursuant to an approved waiver shall:

- A) post the contract with the commercial driver training school on its website or, if it does not maintain a website, make the contract available upon request;
- B) notify the State Board of Education within 15 calendar days of an instructor leaving the program or a new instructor being assigned. The notice shall include the instructor's name, birth date and driver's license number, and the personal identification number assigned by the State Board; and
- C) maintain a record, for the term of the waiver's approval, of all materials related to the application for the waiver, which shall be made available to parents and guardians upon request.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 37 Ill. Reg. 6639, effective May 2, 2013)

Section 252.30 The Terms of Reimbursement for Public School Participation in the Course

- a) Claims for Reimbursement – *These shall be made under oath or affirmation of the chief school administrator for the district employed by the school board or authorized driver education personnel employed by the school board* [105 ILCS 5/27-24.6].
- 1) Reimbursement shall be determined in accordance with the provisions of Sections 27-24.4 and 27-24.5 of the School Code [105 ILCS 5/27-24.4 and 27-24.5].
 - 2) *The school district that is the residence of an eligible pupil who attends a nonpublic school in another district that has furnished the driver education course shall reimburse the district offering the course the difference between the actual per capita cost of giving the course the previous school year and the amount reimbursed by the State* (Section 27-24.4 of the School Code), subject to the limitations regarding the reimbursement amount that are set forth in Section 27-24.2 of the School Code. This arrangement shall also apply in the case of tuition students who receive driver education from the districts where they are enrolled rather than from their respective districts of residence.
 - 3) The district may charge a reasonable fee not to exceed the amount specified in Section 27-24.2 of the School Code to students who participate in a driver education course approved in accordance with this Part. No other fee or portion thereof shall be charged to students and attributed to the driver education course. As used in this Part, "reasonable fee" means a fee calculated by dividing the sum of documented annual district costs for items such as instructional materials (if not included in the district's textbook rental fee), the cost of driver education cars, car maintenance costs, fuel, and insurance by the number of students enrolled or participating in the driver education course. The district's costs used in this calculation shall not include any portion of the salaries or benefits of school district personnel. For purposes of this calculation, the cost of driver education cars that are purchased by the district shall be amortized over a five-year period, and the cost of leasing cars shall be included in the

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

fee calculation in the year the costs are incurred.

- 4) The driver education fee shall be waived with respect to any student who applies pursuant to this subsection and who is eligible for free lunches or breakfasts pursuant to the School Breakfast and Lunch Program Act [105 ILCS 125] and 23 Ill. Adm. Code 305 (School Food Service), and with respect to other students in accordance with the district's policy adopted in accordance with Section 1.245 (Waiver of School Fees) of the rules of the State Board of Education (see 23 Ill. Adm. Code 1; (Public Schools Evaluation, Recognition and Supervision)).
- b) Transfer Student – For any transfer student as defined in Section 252.20(b)(2) of this Part, reimbursement shall be claimed only by the school district to which the student has transferred.
- c) Cooperative School Programs – In fulfilling the requirements for reimbursement, a school district must provide a driver education course or participate in a special education cooperative or be part of an approved joint school agreement with another public school district.
- d) Contracting – School districts providing the driver education course through a contract as provided under Section 252.20(e)(1)~~252.20(f)~~ of this Part or under a waiver granted pursuant to Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g] (see 23 Ill. Adm. Code 1.100) shall make a claim for reimbursement by submitting, in a format specified by the State Superintendent of Education, the names of the students successfully completing the course and the date of course completion for each.
- e) Records – Daily attendance records shall be kept by the teachers in the manner prescribed in Section 27-24.6 of the School Code and are to be used to certify claims made under the Act.
 - 1) Records in either paper or electronic format must be maintained by the school to substantiate daily lessons, time behind the wheel, observation time, and periodic as well as final evaluation of each student. Also recorded shall be the beginning and ending dates of classroom and behind-the-wheel instruction. Students are to be identified by their instructional permit number, name, address and other personal information.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 2) ~~The Such~~ records are to be on file in the office of the driver education supervisor, principal, or other manager at the time reimbursement and/or certification is requested.
- 3) Driver education participation records are to be kept and be readily available for a period of not less than three years.
- 4) All records are subject to yearly audit by State auditors.

(Source: Amended at 37 Ill. Reg. 6639, effective May 2, 2013)

Section 252.40 Driver Education Personnel Requirements

- a) Qualifications of Teachers – All persons who teach a driver education course must meet the applicable standards of this subsection (a).
 - 1) A driver education instructor who teaches in a public school district shall hold a ~~professional educator license endorsed for the secondary grades~~~~secondary teaching certificate~~ and either have an endorsement for safety and driver education or meet the requirements of 23 Ill. Adm. Code 1.730(q) through January 31, 2012. Each individual first assigned to teach safety and driver education on or after February 1, 2012 shall be required to hold a ~~professional educator license endorsed~~~~certificate valid~~ for both the secondary grades and safety and driver education~~an endorsement received~~ pursuant to 23 Ill. Adm. Code ~~25.100(k)~~25.100(n).
 - 2) A driver education instructor who teaches in a nonpublic school is not required to be certified but must hold a baccalaureate degree, or equivalent as determined by the employing school, and meet the requirements of 23 Ill. Adm. Code 1.730(q) through January 31, 2012. Each individual first assigned to teach safety and driver education on or after February 1, 2012 shall meet the course requirements of 23 Ill. Adm. Code ~~25.100(k)~~25.100(n).
 - 3) A driver education instructor who teaches in either a public school district or in a nonpublic school must:

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- A) possess good physical health as determined in accordance with Section 24-5 of the School Code [105 ILCS 5/24-5]; and
 - B) hold a valid driver's license in good standing that has been issued by the state in which he or she resides. For the purposes of this subsection (a)(3)(B), a driver's license issued in Illinois shall not be considered valid and in good standing if it is revoked, suspended, expired or cancelled as described in Sections 6-201 through 6-209 of the Illinois Driver Licensing Law [625 ILCS 5/6-201 through 6-209] or if restrictions have been placed on driving privileges through either a restricted driving permit under Section 6-205(c)(1) or a monitoring device ~~judicial~~ driving permit under Section 6-206.1.
- 4) Additional requirements will not be retroactive as pertaining to those qualified under standards applicable prior to September 1, 1962, so long as they continue to teach driver education in the same district, except in the event the method of instruction has been changed to include simulation and/or multiple-car laboratory instruction. (See 23 Ill. Adm. Code 1.730(q).) The prescribed additional requirements effective July 1, 1969, must be met.
- 5) When schools have a department chairman or a person designated to supervise the driver education program, this person must be qualified as described in this Section.
- b) Invalid Driver's License – The State Board of Education, using information provided by the Secretary of State, shall on a regular basis provide to school districts and nonpublic schools employing driver education instructors who possess Illinois driver's licenses a list of driver education instructors who are in possession of an invalid driver's license as described in subsection (a)(3)(B) of this Section. It shall be the responsibility of the school district or nonpublic school employing an instructor who holds an out-of-state license to ensure that that license is valid and in good standing (e.g., has not been revoked, suspended, expired, or cancelled or is restricted by the state issuing the license).
- 1) After receiving the list, or confirmation that an out-of-state license is invalid, the school district or nonpublic school shall inform each of the

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

instructors in writing of the determination that he or she is in possession of an invalid license and that he or she has no more than five school days to provide evidence to the school district or nonpublic school disputing the determination.

- 2) If the initial determination is found to be correct (i.e., the instructor's license is not valid), then the driver education instructor shall be removed from the driver education program immediately.
- 3) A driver education instructor who is removed from his or her teaching position due to an invalid license shall not be allowed to teach a driver education course for three years following the reinstatement of a valid driver's license.
- 4) For the purposes of this subsection (b), a driver education instructor shall not be subject to the three-year suspension described in subsection (b)(3) of this Section if:
 - A) the invalid license is restored to good standing, and
 - B) the reason that the license was invalidated is due to a non-serious violation not related to driving ability or performance (e.g., failure to renew a license, failure to pay traffic fines, not possessing a mandatory insurance card).
- c) Administrators and teachers of State-approved high school driver education courses shall not acquire an interest in, teach in, or solicit for a commercial driver training school.

(Source: Amended at 37 Ill. Reg. 6639, effective May 2, 2013)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Public Use of State Parks and Other Properties of the Department of Natural Resources
- 2) Code Citation: 17 Ill. Adm. Code 110
- 3) Section Number: 110.40 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Section 8 of the State Forest Act [525 ILCS 40/8] and by Sections 1, 2, 4 and 6 of the State Parks Act [20 ILCS 835/1, 2, 4 and 6] and by Section 5 of the State Parks Designation Act [20 ILCS 840/5] and by Sections 805-10, 805-520, 805-525, 805-330, 805-335 and 805-515 of the Civil Administrative Code of Illinois [20 ILCS 805/805-10, 805-520, 805-525, 805-330, 805-335 and 805-515]
- 5) Effective Date of Amendment: May 1, 2013
- 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 rulemaking, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal Published in *Illinois Register*: November 30, 2012; 36 Ill. Reg. 16629
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version:

In Section 110.40(c)(2), "Dawson Lake", "Mermet Lake", "Pierce Lake" language has been moved up under "Argyle Lake".

In Section 110.40(c)(2), "; and" has been added after "(Cook County)" in the Wolf Lake description.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

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 Part has been amended to allow boats on Argyle Lake, located in Argyle Lake State Park (McDonough County), to operate at full speed if they have motors 10 H.P. or less. Boats with motors larger than 10 H.P. will now be allowed to operate at no-wake or idle speed.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Nick San Diego, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER a: LANDSPART 110
PUBLIC USE OF STATE PARKS AND OTHER PROPERTIES OF THE
DEPARTMENT OF NATURAL RESOURCES

Section

- 110.4 Fees and Charges
- 110.5 Unlawful Activities (Repealed)
- 110.20 Alcoholic Beverages – Possession, Consumption, Influence
- 110.30 Animals – Pets, Dogs, Cats, Equine; Noisy, Vicious, Dangerous Animals;
Livestock; Animal Waste
- 110.40 Boats and Other Watercraft
- 110.45 Abandoned Watercraft
- 110.50 Capacity of Areas – Usage Limitation
- 110.60 Camping – Campfires – Firewood
- 110.70 Destruction of Property – Flora – Fauna – Man-Made and Inanimate Natural
Objects-Collection of Artifacts
- 110.90 Group/Activity Permits
- 110.95 Demonstrations
- 110.100 Littering
- 110.110 Prohibited Fishing Areas – Cleaning of Fish
- 110.120 Restricted Areas
- 110.140 Soliciting/Advertising/Renting/Selling
- 110.150 Swimming/Wading/Diving
- 110.160 Vehicles – Operation on Roadway – Speed – Parking – Weight Limit
- 110.165 Bicycles – Operation on Roadway – Designated Trails
- 110.170 Weapons and Firearms – Display and Use
- 110.175 Nudity Prohibited
- 110.180 Violation of Rule
- 110.185 Emergency Modification of Site Rules

AUTHORITY: Implementing and authorized by Section 8 of the State Forest Act [525 ILCS 40/8] and by Sections 1, 2, 4 and 6 of the State Parks Act [20 ILCS 835/1, 2, 4 and 6] and by Section 5 of the State Parks Designation Act [20 ILCS 840/5] and by Sections 805-10, 805-520, 805-525, 805-330, 805-335 and 805-515 of the Civil Administrative Code of Illinois [20 ILCS

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

805/805-10, 805-520, 805-525, 805-330, 805-335 and 805-515].

SOURCE: Adopted at 4 Ill. Reg. 11, p. 59, effective March 4, 1980; emergency amendment at 5 Ill. Reg. 8933, effective August 25, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10621; amended at 6 Ill. Reg. 7401, effective June 11, 1982; amended at 8 Ill. Reg. 9967, effective June 19, 1984; amended at 10 Ill. Reg. 9797, effective May 21, 1986; amended at 10 Ill. Reg. 13256, effective July 25, 1986; amended at 13 Ill. Reg. 3785, effective March 13, 1989; amended at 15 Ill. Reg. 14423, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 7934, effective May 11, 1992, for a maximum of 150 days; emergency expired October 8, 1992; amended at 16 Ill. Reg. 15435, effective September 28, 1992; amended at 19 Ill. Reg. 6471, effective April 28, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 22 Ill. Reg. 14832, effective August 3, 1998; amended at 24 Ill. Reg. 12556, effective August 7, 2000; emergency amendment at 25 Ill. Reg. 13786, effective October 12, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1206, effective January 16, 2002; amended at 26 Ill. Reg. 6534, effective May 1, 2002; amended at 27 Ill. Reg. 8866, effective May 19, 2003; amended at 28 Ill. Reg. 7061, effective May 3, 2004; amended at 29 Ill. Reg. 2268, effective January 28, 2005; emergency amendment at 30 Ill. Reg. 13536, effective July 27, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 19376, effective November 30, 2006; amended at 32 Ill. Reg. 174, effective December 19, 2007; amended at 37 Ill. Reg. 6652, effective May 1, 2013.

Section 110.40 Boats and Other Watercraft

It shall be unlawful:

- a) For any person to operate any sailboat, rowboat, houseboat, pontoon boat, or boat propelled by machinery or other watercraft in any pond, lake, river, canal, or other body of water where posting clearly indicates that certain specific boating usage is prohibited. However, Department of Natural Resources employees operating watercraft in carrying out official duties and personnel of cooperating agents or agencies operating watercraft as authorized by the Department of Natural Resources are exempt from boating regulations in this Section 110.40 or in specific site rules as determined by Department of Natural Resources supervisory managers in order to provide management actions for enhancing or saving the resource base or the safety and welfare of the using public.
- b) For any person to use a motor driven boat on any body of water under the jurisdiction of the Department that has less than 60 surface acres. However, this

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

does not exclude the use of motor driven boats to gain access to duck blinds during blind building activities and during the waterfowl hunting season or electric trolling motors on these bodies of water.

- c) For any person to use a motor driven boat with a motor of a size larger than 10 H.P. on any body of water under the jurisdiction of the Department that has 60 or more surface acres of water area except:
- 1) departmentally supervised waters of over 500 acres;
 - 2) on the following lakes that are between 60-500 acres, motors of any size are allowed (10 H.P. and under may operate at full speed while motors larger than 10 H.P. must operate at no-wake, idle speed):

[Argyle Lake – Argyle Lake State Park \(McDonough County\)](#)

[Dawson Lake – Moraine View State Recreation Area \(McLean County\)](#)

[Mermet Lake – Mermet Lake State Fish and Wildlife Area \(Massac County\)](#)

[Pierce Lake – Rock Cut State Park \(Winnebago County\)](#)

Prairie Lake – Jim Edgar Panther Creek State Fish and Wildlife Area (Cass County)

~~[Pierce Lake – Rock Cut State Park \(Winnebago County\)](#)~~

Wolf Lake – William W. Powers State Conservation Area (Cook County); and

~~[Dawson Lake – Moraine View State Recreation Area \(McLean County\)](#)~~

~~[Mermet Lake – Mermet Lake State Fish and Wildlife Area \(Massac County\); and](#)~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- 3) portions of canals having specific regulations posted on boat motor size and boat use allowed and except that an outboard horsepower restriction shall not apply at posted boat launch ramps while loading or unloading a trailered watercraft; provided that the watercraft over the H.P. limit is operated at a no-wake speed within 150 feet of the loading ramp itself.
- d) For any person to allow his boat or other watercraft to remain on any of the public recreational and fishing areas under the jurisdiction of the Department beyond the date of December 1st of each year.
- e) To remain on any Department lake after posted closing time.

(Source: Amended at 37 Ill. Reg. 6652, effective May 1, 2013)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois
- 2) Code Citation: 17 Ill. Adm. Code 810
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
810.14	New Section
810.15	New Section
810.35	Amendment
810.45	Amendment
810.70	Amendment
810.80	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5]
- 5) Effective Date of Amendments: May 1, 2013
- 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 rulemaking, including any material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: November 30, 2013; 36 Ill. Reg. 16635
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version:

In Section 810.14 has been changed to read:

- "(a) Except as provided in this Section, it is unlawful for any person at any time to take or possess any fish authorized by this Part in Illinois waters by sportfishing methods and then intentionally leave or abandon such fish or portions thereof

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

resulting in wanton or needless waste.

- (b) "Wanton or needless waste" means to place, leave, dump or abandon any fish or fish parts protected by this Part along or upon any public right-of-way or highway, waterway or stream, or on any public or private property without the permission of the owner or tenant. No disposal of fish or fish portions shall be allowed on State owned or leased properties except at designated fish cleaning stations, where available.
- (c) This section shall not apply to fish or fish parts used for the purposes of bait or other lawful purposes or to injurious species of fish that accidentally jump into a watercraft and are immediately returned to the water."

In Section 810.15(b), "as per" has been replaced with "and in accordance with"; and "below" has been changed to "in this subsection (b)".

In Section 810.15(b)(1), "River Carpsucker" has been changed to "River carpsucker".

In Section 810.15(c), first sentence, "Carp" has been changed to lowercase.

In Section 810.15(d), "810.35" has been corrected to "810.45".

In Section 810.45, "Boyd-Wesley Park Pond" has been moved after "Bowen Lake" to be in alphabetical order.

- 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 Part has been amended to address wanton waste of fish; clarify legal methods for, allowed species and catch limit, and areas open to bowfishing; address statewide daily catch and size limits; amend individual site specific fishing regulations by water area; and identify the 2013 and 2014 dates for Free Fishing Days.
- 16) Information and questions regarding these adopted amendments shall be directed to:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Nick San Diego, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 810
SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section

810.5	Definitions
810.10	Sale of Fish and Fishing Seasons
<u>810.14</u>	<u>Wanton Waste – Fish Abandonment</u>
<u>810.15</u>	<u>Statewide and Site Specific Bowfishing</u>
810.20	Snagging
810.30	Pole and Line Fishing Only (Repealed)
810.35	Statewide Sportfishing Regulations – Daily Catch and Size Limits
810.37	Definitions for Site Specific Sportfishing Regulations
810.40	Daily Catch and Size Limits (Repealed)
810.45	Site Specific Water Area Regulations
810.50	Bait Fishing
810.60	Bullfrogs (Repealed)
810.70	Free Fishing Days
810.80	Emergency Protective Procedures
810.90	Fishing Tournament Permit
810.100	Bed Protection

AUTHORITY: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35, 25-5, and 5/5-15].

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118, effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. 3434, effective March 8, 1999; emergency amendment at 23 Ill. Reg. 7317, effective June 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 8406, effective July 7, 1999; amended at 24 Ill. Reg. 3736, effective February 25, 2000; amended at 25 Ill. Reg. 6296, effective March 26, 2001; emergency amendment at 25 Ill. Reg. 7947, effective June 16, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 9912, effective August 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11386, effective August 14, 2001; emergency amendment at 25 Ill. Reg. 12122, effective September 15, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1210, effective January 16, 2002; amended at 26

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Ill. Reg. 4294, effective March 6, 2002; amended at 27 Ill. Reg. 3376, effective February 14, 2003; amended at 28 Ill. Reg. 4607, effective March 1, 2004; amended at 29 Ill. Reg. 3955, effective February 24, 2005; amended at 30 Ill. Reg. 4810, effective March 1, 2006; amended at 31 Ill. Reg. 3480, effective February 16, 2007; emergency amendment at 31 Ill. Reg. 8265, effective May 25, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 14432, effective October 5, 2007; amended at 32 Ill. Reg. 3302, effective February 25, 2008; amended at 33 Ill. Reg. 5275, effective March 25, 2009; amended at 34 Ill. Reg. 6391, effective April 20, 2010; amended at 35 Ill. Reg. 4011, effective February 22, 2011; amended at 36 Ill. Reg. 5461, effective March 22, 2012; amended at 37 Ill. Reg. 6658, effective May 1, 2013.

Section 810.14 Wanton Waste – Fish Abandonment

- a) Except as provided in this Section, it is unlawful for any person at any time to take or possess any fish authorized by this Part in Illinois waters by sportfishing methods and then intentionally leave or abandon such fish or portions thereof resulting in wanton or needless waste.
- b) "Wanton or needless waste" means to place, leave, dump or abandon any fish or fish parts protected by this Part along or upon any public right-of-way or highway, waterway or stream, or on any public or private property without the permission of the owner or tenant. No disposal of fish or fish portions shall be allowed on State owned or leased properties except at designated fish cleaning stations, where available.
- c) This section shall not apply to fish or fish parts used for the purposes of bait or other lawful purposes or to injurious species of fish that accidentally jump into a watercraft and are immediately returned to the water.

(Source: Added at 37 Ill. Reg. 6658, effective May 1, 2013)

Section 810.15 Statewide and Site Specific Bowfishing

- a) Legal Methods of Taking
Carp, buffalo, suckers, gar, shad, drum and bowfin may be taken by means of a pitchfork, underwater spear gun, bow and arrow or bow and arrow device, spear or gig. Each person taking fish by these means shall possess a valid sport fishing license. Fish taken by these means shall not be sold or bartered. No other fish may be taken in this State by these means. It is unlawful to discharge any bow

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

and arrow device along, upon, across or from any public right-of-way or highway in this State.

- b) Species of Fish and Catch Limit
Only fish species listed may be taken by bowfishing and other legal methods and in accordance with creel limits identified for each. Fish species permitted (except as noted in this subsection (b)) to be taken by bowfishing and other archery/spear fishing legal methods in Illinois waters include:

1) Order Lepisosteiformes

Family Lepisosteidae:

Spotted gar – Lepisosteus oculatus (Winchell)

Longnose gar – Lepisosteus osseus (Linnaeus)

Shortnose gar – Lepisosteus platostomus (Rafinesque)

2) Order Amiiformes

Family Amiidae:

Bowfin – Amia calva (Linnaeus)

3) Order Cypriniformes

Family Cyprinidae:

Grass carp – Ctenopharyngodon idella (Valenciennes)

Common carp – Cyprinus carpio (Linnaeus)

Silver carp – Hypophthalmichthys molitrix (Valenciennes)

Bighead carp – Hypophthalmichthys nobilis (Richardson)

Goldfish – Carassius auratus (Linnaeus)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Family Catostomidae:

River carpsucker – Carpiodes carpio (Rafinesque)

Quillback carpsucker – Carpiodes cyprinus (Lesueur)

Highfin carpsucker – Carpiodes velifer (Rafinesque)

White sucker – Catostomus commersoni (Lacepede)

Blue sucker – Cycleptus elongates (Lesueur)

Smallmouth buffalo – Ictiobus bubalus (Rafinesque)

Bigmouth buffalo – Ictiobus cyprinellus (Valenciennes)

Black buffalo – Ictiobus niger (Rafinesque)

Spotted sucker – Minytrema melanops (Rafinesque)

Silver redhorse – Moxostoma anisurum (Rafinesque)

River redhorse (State threatened) – Moxostoma carinatum (Cope) may not be legally taken; release immediately

Black redhorse – Moxostoma duquesnei (Lesueur)

Golden redhorse – Moxostoma erythrurum (Rafinesque)

Shorthead redhorse – Moxostoma macrolepidotum (Lesueur)

Greater redhorse (State endangered) – Moxostoma valenciennesi (Jordan) may not be legally taken; release immediately

Family Sciaenidae:

Freshwater drum – Aplodinotus grunniens (Rafinesque)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Family Clupeidae:Gizzard shad – *Dorosoma cepedianum* (Lesueur)

- c) Asian Carp
No live possession of Asian carp species is permitted. Bowfishing and other legal methods are not permitted in waters listed in the site specific regulations in Section 810.45 as "2 pole and line fishing only", except as listed by notation.
- d) Waters Open to Bowfishing and Other Legal Methods
Illinois waters open to bowfishing and other legal methods include all public site specific waters as noted in Section 810.45 and all public rivers and streams as noted in 17 Ill. Adm. Code 3704.Appendix A.

(Source: Added at 37 Ill. Reg. 6658, effective May 1, 2013)

Section 810.35 Statewide Sportfishing Regulations – Daily Catch and Size Limits

- a) Length is measured from the tip of the snout to the end of the tail with the fish laid flat on a ruler, with the mouth of the fish closed and the tail lobes pressed together.
- b) No fish species may be dressed (filleted or head and tail removed) on any waters to which length or bag limits are applicable. Regardless of where taken, no fish less than the specified minimum length or more than the daily catch shall be possessed while taking from, or on, any waters to which length or bag limits and/or daily catch limits apply. While taking from areas designated as "Catch and Release Only", all catch and release species must be immediately released back into the waters from which taken.
- c) Statewide limits by type of fish:
- 1) CHANNEL CATFISH
There are no daily catch or size limits except in those waters listed under Site Specific Regulations.
 - 2) LARGEMOUTH BASS, SMALLMOUTH BASS, SPOTTED BASS
Daily catch limit is 6 bass, either singly or in the aggregate, except as

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

specified under Site Specific Regulations. In streams and rivers (excluding the mainstem of the Mississippi, Ohio, including the Golconda Marina and Wabash Rivers) the daily creel can contain no more than 3 smallmouth bass. In streams and tributaries statewide, except for the Mississippi, Ohio, including the Golconda Marina, Wabash and Illinois Rivers, all smallmouth bass must be immediately released between April 1 and June 15. There is no statewide size limit.

- 3) MUSKELLUNGE, NORTHERN PIKE AND THEIR HYBRIDS
 - A) All muskellunge and muskellunge hybrids (tiger muskie) taken must be 36 inches in total length or longer, except as specified under Site Specific Regulations.
 - B) No more than 1 muskellunge or muskellunge hybrid (tiger muskie), either singly or in the aggregate, may be taken per day, except as specified under Site Specific Regulations.
 - C) All northern pike taken must be 24 inches in total length or longer, except in the Mississippi River and Ohio River where there is no size limit.
 - D) No more than 3 northern pike may be taken per day, except as specified under Site Specific Regulations.
- 4) CRAPPIE (WHITE, BLACK OR HYBRID CRAPPIE)

There are no catch or size limits except in those waters listed under Site Specific Regulations.
- 5) BLUEGILL AND REDEAR SUNFISH
There are no catch or size limits except in those waters listed under Site Specific Regulations.
- 6) STRIPED BASS (OCEAN ROCKFISH), WHITE BASS, YELLOW BASS AND HYBRIDS
There are no daily catch limits or minimum size limits for striped bass (ocean rockfish), white bass, yellow bass and their hybrids, which are less than 17 inches in total length, except in those waters listed under Site Specific Regulations. For these fish 17 inches in total length or longer, the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

daily limit is 3 fish, either singly or in the aggregate, except in the Mississippi River between Illinois and Missouri where there is a 30 fish daily creel limit for all striped, white, yellow or hybrid striped bass. In the Mississippi River between Illinois and Iowa, there is a 25 fish daily creel on striped bass, white bass, yellow bass and their hybrids, either singly or in the aggregate.

- 7) TROUT AND SALMON
Daily catch limit is 5 trout or salmon, either singly or in the aggregate.
- 8) WALLEYE, SAUGER OR THEIR HYBRID
 - A) All walleye, sauger, or their hybrid (saugeye) taken must be 14 inches in total length or longer, except in the Mississippi River, Ohio River, Wabash River, or as specified under Site Specific Regulations.
 - B) Daily catch limit is 6 walleye, sauger or their hybrid, either singly or in the aggregate, except in those waters listed under Site Specific Regulations.
- 9) INJURIOUS SPECIES
For injurious species, as described in 17 Ill. Adm. Code 805, there are no catch or size limits. Possession of live specimens, progeny thereof, viable eggs, or gametes is prohibited.

(Source: Amended at 37 Ill. Reg. 6658, effective May 1, 2013)

Section 810.45 Site Specific Water Area Regulations

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Altamont Reservoir, City of Altamont
Effingham County

Large or Smallmouth Bass

15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass (14)	1 Fish Daily Creel Limit
Anderson Lake Fish and Wildlife Area (33) Fulton County	
Andover Lake, City of Andover Henry County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Anna City Lake, City of Anna Union County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Apple River (within Apple River Canyon State Park and Satellite Boundaries), State of Illinois Jo Daviess County	
All Fish	- 2 Pole and Line Fishing Only (1)
Smallmouth Bass	- Catch and Release Fishing Only (9)
Trout	- Spring Closed Season (11)
Apple River and tributaries, State of Illinois Jo Daviess County	
All Fish	- 2 Pole and Line Fishing Only (1)
Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Spring Closed Season (11)
Argyle Lake, Argyle Lake State Park McDonough County	
Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Hybrid Walleye	- 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass (14)	- 1 Fish > 15" and/or 5 < 12" Daily (12)
Trout	- Fall Closed Season (10)
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Arrowhead Heights Lake, Village of Camp Point	
Adams County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Arrowhead Lake, City of Johnston City	
Williamson County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
Ashland City Old Reservoir, City of Ashland	
Morgan County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Ashland City Reservoir, City of Ashland	
Morgan County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Auburn Park Lagoon, Chicago Park District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit
Axehead Lake, Cook County Forest Preserve	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1) (36)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Bluegill, Redear, or Pumpkinseed Sunfish (14)	- 15 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
Bakers Lake, City of Peru	
LaSalle County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Baldwin Lake, Baldwin Lake Conservation Area	
Randolph County	
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Large or Smallmouth Bass	- 18" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Banana Lake, Lake County Forest Preserve District	
Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)	
Peoria/Fulton Counties	
Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (34)
Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12"-18" Protected Slot Length Limit (no possession)
Pure Muskellunge	- 42" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Bass Lake, DuPage County Forest Preserve District	
DuPage County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Channel Catfish	- 12" Minimum Length Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
Batchtown Wildlife Management Area (19)	
Calhoun County	
Baumann Park Lake, City of Cherry Valley	
Winnebago County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Beall Woods Lake, Beall Woods Conservation Area	
Wabash County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)
Trout	- Fall Closed Season (10)
Beaver Dam Lake, Beaver Dam State Park	
Macoupin County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Beck Lake, Cook County Forest Preserve District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1) (36)
Bluegill, Redear, or Pumpkinseed Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
Belk Park Pond, City of Wood River	
Madison County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Belleau Lake, Cook County Forest Preserve District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1) (36)
Bluegill, Redear, or Pumpkinseed Sunfish (14)	- 15 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
Belvidere Ponds, City of Belvidere	
Boone County	
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Bevier Lagoon, Waukegan Park District

Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Bird Park Quarry, City of Kankakee

Kankakee County

- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Bloomington Park District Lakes (Anglers Lake, Holiday Lake, Miller Park Lake, Tipton Lake and White Oaks Lake)

McLean County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 3 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Blue Pond, Boone County Conservation District

Boone County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Borah Lake, City of Olney

Richland County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Boston Pond, Stephen A. Forbes State Park

Marion County

- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Bowen Lake, City of Washington

Tazewell County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12"-15" Protected Slot Length Limit (no possession)
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Boyd-Wesley Park Pond, Village of Towanda
McLean County

<u>All Fish</u>	<u>- 2 Pole and Line Fishing Only (1)</u>
<u>Channel Catfish</u>	<u>- 3 Fish Daily Creel Limit</u>
<u>Large or Smallmouth Bass</u>	<u>- 15" Minimum Length Limit</u>
<u>Large or Smallmouth Bass (14)</u>	<u>- 1 Fish Daily Creel Limit</u>
<u>Bluegill or Redear Sunfish (14)</u>	<u>- 10 Fish Daily Creel Limit</u>

Braidwood Lake, Braidwood State Fish and Wildlife Area (41)

Will County

Recreational Use Restrictions	- Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season
All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Striped, White or Hybrid Striped Bass (16)	- 10 Creel/3 Fish 17" or Longer Daily (17)

Breeze JC's Park Pond, City of Breeze

Clinton County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Buckner City Reservoir, City of Buckner

Franklin County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Buffalo Prairie Pheasant Habitat Area Lakes and Ponds (Buffalo Lake South, Buffalo Lake North, Buffalo Pond Northwest, Buffalo Wetland) State of Illinois

Knox County

<u>Recreational Use Restrictions</u>	- <u>Buffalo Prairie Pheasant Habitat Area is closed to all fishing during the northern zone upland hunting season</u>
<u>All Fish</u>	- <u>2 Pole and Line Fishing Only (1)</u>
<u>Large or Smallmouth Bass (14)</u>	- <u>1 Fish > 15" and 2 Fish < 15" daily (25)</u>
<u>Bluegill or Redear Sunfish (14)</u>	- <u>10 Fish Daily Creel Limit</u>

Bullfrog Lake, Cook County Forest Preserve District

Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Bluegill, Redear, or Pumpkinseed Sunfish (14)	- 15 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

Bunker Hill Lake, City of Bunker Hill

Macoupin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Burrells Wood Park Pond

White County

Channel Catfish	- 6 Fish Daily Creel Limit
-----------------	----------------------------

Busse Lake, Cook County Forest Preserve

Cook County

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (36)
Bluegill, Redear, or Pumpkinseed Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
Cache River State Natural Area Pulaski/Johnson Counties	
Recreational Use Restrictions	- Waterfowl Refuge or Hunting Area; no fishing in Nature Preserves – Section 8 Woods, Heron Pond/Little Black Slough
All Fish	- 2 Pole and Line Fishing Only (1) (5)
All Fish	- No Seines
Calhoun Point Wildlife Management Area (19) Calhoun County	
Calumet River Cook County	
Yellow Perch	- 15 Fish Daily Creel Limit
Yellow Perch	- Closed During July
Campbell Pond Wildlife Management Area (19) Jackson County	
Campus Lake – Southern Illinois University, State of Illinois Jackson County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Campus Pond – Eastern Illinois University, State of Illinois Coles County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Canton Lake, City of Canton Fulton County	
Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

All Fish	- 2 Pole and Line Fishing Only (1)
Channel or Blue Catfish (14)	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Pure Muskellunge	- 42" Minimum Length Limit
Carbondale City Reservoir, City of Carbondale Jackson County	
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Carlinville Lake #1, City of Carlinville Macoupin County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Carlinville Lake #2, City of Carlinville Macoupin County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Carlton Silt Basin, State of Illinois Whiteside County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Large or Smallmouth Bass	- Catch and Release Fishing Only (9)
Carlyle Lake, U.S. Army Corps of Engineers (20) (33) Clinton/Bond/Fayette Counties	
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit
Carthage Lake, City of Carthage Hancock County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Casey Park Pond, City of Casey

Clark County

- | | |
|---------------------------------|---|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | - 15 Fish Daily Creel Limit of which only 5 fish > 8" are allowed |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 18" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Casters Pond, Boone County Conservation District

Boone County

- | | |
|-------------------------------|--------------------------------|
| All Fish | - 2 Pole and Line Fishing Only |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Cedar Lake and Little Cedar Lake, U.S. Forest Service and City of Carbondale

Jackson County

- | | |
|---|--|
| All Fish | - 2 Pole and Line Fishing Only (1) (5) |
| Large or Smallmouth Bass | - 14"-18" Protected Slot Length Limit (no possession) |
| Large or Smallmouth Bass (14) | - 5 Fish < 14" and 1 Fish > 18" Daily Creel Limit (38) |
| Striped, White, or Hybrid Striped Bass | - 17" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass (16) | - 3 Fish Daily Creel Limit |
| White, Black, or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit |

Centennial Park Pond, Coloma Township Park District

Whiteside County

- | | |
|-------|-----------------------------|
| Trout | - Fall Closed Season (10) |
| Trout | - Spring Closed Season (11) |

Centralia Foundation Park Catfish Pond, Centralia Park Foundation

Marion County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |

Centralia Lake, City of Centralia

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Marion County

Large or Smallmouth Bass - 15" Minimum Length Limit

Cermack Quarry, Cook County Forest Preserve District

Cook County

All Fish - 2 Pole and Line Fishing Only (1) (36)
 Bluegill, Redear, or Pumpkinseed - 15 Fish Daily Creel Limit
 Sunfish (14)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District

Champaign County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Charleston Lower Channel Lake, City of Charleston

Coles County

All Fish - 2 Pole and Line Fishing Only (1) (5) (36)

Charleston Side Channel Lake, City of Charleston

Coles County

All Fish - 2 Pole and Line Fishing Only (1) (5)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
 Striped, White, or Hybrid Striped Bass - 3 Fish Daily Creel Limit
 (16)
 White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel Limit for Fish < 10";
 10 Fish Daily Creel Limit for Fish > 10"
 (23)

Charlie Brown Lake & Pond, City of Flora

Clay County

All Fish - 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Charter Oak North – Peoria Park District Lake, Peoria Park District

Peoria County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Charter Oak South – Peoria Park District Pond, Peoria Park District

Peoria County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Chautauqua Lake North and South Pools, U.S. Fish and Wildlife Service

Mason County

- Recreational Use Restrictions - Lake Chautauqua North and South Pools will be closed to boat fishing from October ~~6~~¹⁵ through January ~~31~~¹⁴
- Bank fishing will be allowed in selected areas only
- Ice fishing will be allowed following the ~~February 1~~^{January 15} reopening
- Largemouth Bass - 12" Minimum Length Limit

Chenoa City Lake, City of Chenoa

McLean County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Chicago River (including its North Branch, South Branch, and the North Shore Channel)

Cook County

- Yellow Perch - 15 Fish Daily Creel Limit
- Yellow Perch - Closed During July

Christopher Old City Lake, City of Christopher

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Franklin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Citizen's Lake, City of Monmouth

Warren County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 6 Fish Daily Creel Limit
- 1 Fish > 15" and 5 Fish < 12" Daily Creel Limit (12)
- Trout - Fall Closed Season (10)

Clear Lake, Kickapoo State Park

Vermilion County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 12" to 15" Protected Slot Length Limit (no possession); 3 Fish Daily Creel Limit of which no more than 1 fish may be > 15" and no more than 2 may be < 12" (31)
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Clinton Lake, Clinton Lake State Recreation Area

DeWitt County

- All Fish - 2 Pole and Line Fishing Only (1) (18) (36)
- Large or Smallmouth Bass - 16" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Striped, White, or Hybrid Striped Bass (16) - 10 Creel/3 Fish 17" or Longer Daily (17)
- White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie - 9" Minimum Length Limit

Coffeen Lake, Coffeen Lake State Fish and Wildlife Area

Montgomery County

- Channel Catfish - All jugs must be attended at all times while

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|--|---|
| | fishing (2) |
| Large or Smallmouth Bass (14) | - 1 Fish \geq 15" and 2 Fish < 15" daily (25) |
| White, Black, or Hybrid Crappie (15) | - 10 Fish Daily Creel Limit |
| White, Black, or Hybrid Crappie | - 10" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass | - 17" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass | - 3 Fish Daily Creel Limit |
| (16) | |
| Coles County Airport Lake, Coles County Airport | |
| Coles County | |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Columbus Park Lagoon, Chicago Park District | |
| Cook County | |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 4 Fish Daily Creel Limit |
| Commissioners Park Pond, Alsip Park District | |
| Cook County | |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Conservation World Ponds, Illinois State Fairgrounds | |
| Sangamon County | |
| Fishing by special permit only for senior groups, children's groups or group guests of the Director. Apply for permit by writing to: Department of Natural Resources, Division of Fisheries, One Natural Resources Way, Springfield IL 62702 | |
| Cook Co. Forest Preserve District Lakes, Cook County Forest Preserve District | |
| Cook County | |
| All Fish | - 2 Pole and Line Fishing Only (1) (36) |
| Bluegill, Redear, or Pumpkinseed | - 15 Fish Daily Creel Limit |
| Sunfish (14) | |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye | - 18" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 15 Fish Daily Creel Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Coulterville City Lake, City of Coulterville

Randolph County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |

Crab Orchard National Wildlife Refuge – Crab Orchard Lake, U.S. Fish and Wildlife Service

Williamson County

- | | |
|-------------------------------|--|
| All Fish | - 2 Pole and Line Fishing Only (1) (4) |
| Large or Smallmouth Bass | - 16" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Crab Orchard National Wildlife Refuge – Devil's Kitchen Lake, U.S. Fish and Wildlife Service

Williamson County

- | | |
|----------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
|----------|------------------------------------|

Crab Orchard National Wildlife Refuge – Little Grassy Lake, U.S. Fish and Wildlife Service

Williamson County

- | | |
|--------------------------|--|
| All Fish | - 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 12-15" Slot Length Limit (3) |

Crab Orchard National Wildlife Refuge – Visitors Pond

Williamson County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 18" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Crab Orchard National Wildlife Refuge Restricted Use Area Ponds (30), except Visitor Pond,
and Crab Orchard National Wildlife Refuge – All Other Ponds, U.S. Fish and Wildlife Service

Williamson County

- | | |
|--------------------------------------|--|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 16 15" Minimum Length Limit |
| <u>Large or Smallmouth Bass (14)</u> | <u>- 3 Fish Daily Creel Limit</u> |

Crawford Co. Cons. Area – Picnic Pond, Crawford County Conservation Area

Crawford County

- | | |
|----------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
|----------|------------------------------------|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10)

Crawford Co. Cons. Area Ponds, Crawford County Conservation Area

Crawford County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Crull Impoundment Wildlife Management Area (33)

Jersey County

Crystal Lake, Urbana Park District

Champaign County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
<u>Bluegill or Redear Sunfish (14)</u>	<u>- 10 Fish Daily Creel Limit</u>

Cypress Creek National Wildlife Refuge – All Ponds, U.S. Fish and Wildlife Service

Johnson/Pulaski/Union Counties

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Cypress Creek National Wildlife Refuge – Cache River from Rt. 37 to Rt. 51 in Ullin, U.S.

Fish and Wildlife Service

Johnson/Pulaski Counties

All Fish	- 2 Pole and Line Fishing Only (1)
All Fish	- No Seines

Dawson Lake & Park Ponds, Moraine View State Park

McLean County

All Fish	- 2 Pole and Line Fishing Only (1) (44)
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- (14)
White, Black or Hybrid Crappie (15) - 15 Fish Daily Creel Limit
- Decatur Park Dist. Ponds, City of Decatur
Macon County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit (except for
Fairview Park – Dreamland Pond, which
has a 3 Fish Daily Creel Limit)
- Deep Quarry Lake, DuPage County Forest Preserve District
DuPage County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 3 Fish Daily Creel Limit
Channel Catfish - 12" Minimum Length Limit
Large or Smallmouth Bass - 18" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye - 16" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye - 3 Fish Daily Creel Limit
(14)
White, Black, or Hybrid Crappie - 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit
- Defiance Lake, Moraine Hills State Park
McHenry County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Des Plaines River Basin (Hoffman Dam to 47th Street Bridge, including tributaries)
Cook County
Channel Catfish - 15" Minimum Length Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - Catch and Release Only – No Harvest
Permitted (9)
Northern Pike - 30" Minimum Length Limit
Northern Pike - 1 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit
 Walleye, Sauger, or Hybrid Walleye - 1 Fish Daily Creel Limit
 (14)

Diamond Lake, City of Mundelein

Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Dieterich Park Pond, City of Dieterich

Effingham County

- All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 3 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Dolan Lake, Hamilton County Conservation Area

Hamilton County

- All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
 Large or Smallmouth Bass - 18" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Donnelley State Wildlife Area (33)

Bureau County

Double "T" State Fish and Wildlife Area, State of Illinois

Fulton County

- Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting is prohibited from October 1 through the end of the central zone Canada goose season)
 - All live bait > 8" must be rigged with a quick set rig (43)
 All Fish - 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel or Blue Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 21" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Pure Muskellunge	- 42" Minimum Length Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Douglas Park Lagoon, Chicago Park District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit
DuPage County Forest Preserve District Lakes and Ponds (excluding Bass Lake, Deep Quarry Lake, and Grove Lake), DuPage County Forest Preserve District	
DuPage County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Channel Catfish	- 12" Minimum Length Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie	- 9" Minimum Length Limit
White, Black or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
DuPage River – West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)	
DuPage County	
Large or Smallmouth Bass	- Catch and Release Fishing Only (9)
DuQuoin City Lake, City of DuQuoin	
Perry County	
Channel Catfish	- 6 Fish Daily Creel Limit
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14"-18" Protected Slot Length Limit (no possession) (38)
Large or Smallmouth Bass (14)	- 5 Fish < 14" and 1 Fish > 18" Daily Creel

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

	Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
East Fork Lake, City of Olney	
Richland County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Eldon Hazlet State Park (See Also Carlyle Lake)	
Clinton County	
Elkville City Reservoir, City of Elkville	
Jackson County	
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Elliott Lake, Wheaton Park District	
DuPage County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 15" Minimum Length Limit
Emiquon Preserve – Thompson Lake	
Fulton County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Black, White, or Hybrid Crappie	- 9" Minimum Length Limit
Black, White, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Bluegill, Redear, Pumpkin Seed, Green, or Orange Spotted Sunfish and Hybrid Sunfish (14)	- 25 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Evergreen Lake, City of Bloomington

McLean County

- | | |
|--------------------------------------|---|
| Recreational Use Restrictions | - All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) (5) |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Pure Muskellunge | - 48" Minimum Length Limit (40) |
| White, Black, or Hybrid Crappie (15) | - 15 Fish Daily Creel Limit |

Fairgrounds Pond – Fort Massac State Park, State of Illinois

Massac County

- | | |
|-------|-----------------------------|
| Trout | - Fall Closed Season (10) |
| Trout | - Spring Closed Season (11) |

Fairview Park – Dreamland Pond, City of Decatur

Macon County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 3 Fish Daily Creel Limit |

Ferne Clyffe Lake, Ferne Clyffe State Park

Johnson County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Trout | - Fall Closed Season (10) |
| Trout | - Spring Closed Season (11) |

Flatfoot Lake, Cook County Forest Preserve District

Cook County

- | | |
|---|---|
| All Fish | - 2 Pole and Line Fishing Only (1) (36) |
| Bluegill, Redear, or Pumpkinseed Sunfish (14) | - 15 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 15 Fish Daily Creel Limit |

Fletcher Park Pond, City of Mt. Zion

Macon County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 3 Fish Daily Creel Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|--|---|
| Bluegill or Redear Sunfish (14) | - 5 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 18" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
|
 | |
| Foli Park Pond, Village of Plano | |
| Kendall County | |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
|
 | |
| Forbes State Lake, Stephen A. Forbes State Park (including Forbes State Lake tailwaters and that portion of Lost Fork Creek within Stephen A. Forbes State Park) | |
| Marion County | |
| Recreational Use Restrictions | - All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Pure Muskellunge | - 48" Minimum Length (40) |
| Striped, White, or Hybrid Striped Bass | - 17" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass (16) | - 3 Fish Daily Creel Limit |
|
 | |
| Forbes State Park Ponds, Stephen A. Forbes State Park | |
| Marion County | |
| All Fish | - 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
|
 | |
| Forest Park Lagoon, City of Shelbyville | |
| Shelby County | |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Trout | - Fall Closed Season (10) |
| Trout | - Spring Closed Season (11) |
|
 | |
| Four Lakes, Winnebago County Forest Preserve | |
| Winnebago County | |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)

Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the Algonquin Dam and the Nippersink Creek upstream to the Wilmot Road Bridge) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only), State of Illinois
Lake and McHenry Counties

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) only on State Park property bordering the Fox River and Grass Lake
Large or Smallmouth Bass	- 14" Minimum Length Limit (6)
Large or Smallmouth Bass (14)	- 6 Fish Daily Creel Limit of which no more than 3 can be Smallmouth Bass
Pure Muskellunge	- 48" Minimum Length Limit (40)
Smallmouth Bass	- All fish must be immediately released between April 1 and June 15
Walleye, Sauger, or Hybrid Walleye	- 14" Minimum Length Limit with an 18-24" Protected Slot Length Limit (no possession) (6)
Walleye, Sauger, or Hybrid Walleye (14)	- 4 Fish " Daily Creel Limit of which only 1 can be > 24" (35)

Fox Ridge State Park (see also Hurricane Pond, Wilderness Pond and Ridge Lake)
Coles County

Fox River, Algonquin Dam to confluence with the Illinois River, including tributaries, State of Illinois

Multiple Counties

Smallmouth Bass	- 1 Fish 12" \geq and 2 Fish < 12" Daily Creel Limit
-----------------	--

Fox River (at Moraine Hills State Park and Dam and on Bolger Lock and Dam Properties),
State of Illinois

McHenry County

All Fish	- 2 Pole and Line Fishing Only (1) on Moraine Hills State Park and Dam
----------	--

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

property and on property at the Bolger
Lock and Dam along the Fox River

Fox River Marina, Lake County Forest Preserve
Lake County

All Fish - 2 Pole and Line Fishing Only; Bank Fishing
Only (in areas designated by Lake County
Forest Preserve District)

Fox Valley Park District Lakes and Ponds (except Jericho Lake and Lake Gregory), Fox Valley
Park District

Kane and DuPage Counties

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Frank Holten Lakes, Frank Holten State Park
St. Clair County

All Fish - 2 Pole and Line Fishing Only (1) (5)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Trout - Fall Closed Season (10)
Trout - Spring Closed Season (11)

Franklin Creek (within the boundaries of Franklin Creek State Natural Area)

Lee County

All Fish - 2 Pole and Line Fishing Only (1)

Franklin Creek Mill Pond – Franklin Creek State Park, State of Illinois

Lee County

All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Fuller Lake (19)
Calhoun County

Fulton County Camping and Recreation Area Waters, Fulton County Board

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Fulton County

- | | |
|---------------------------------|---|
| Recreational Use Restrictions | - All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 12"-15" Protected Slot Length Limit (no possession) |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
| Bluegill or Redear Sunfish (14) | - 25 Fish Daily Creel Limit |

Gages Lake, Wildwood Park District

Lake County

- | | |
|---|----------------------------|
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
| Walleye, Sauger, or Hybrid Walleye | - 16" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye (14) | - 3 Fish Daily Creel Limit |

Garfield Park Lagoon, Chicago Park District

Cook County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 4 Fish Daily Creel Limit |

Gebhard Woods Pond, Gebhard Woods State Park

Grundy County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Trout | - Spring Closed Season (11) |

Germantown Lake, City of Germantown

Clinton County

- | | |
|---------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | - 15 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 18" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Giant City Park Ponds, Giant City State Park

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Jackson and Union Counties

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth and Spotted Bass - 15" Minimum Length Limit

Gillespie New City Lake, City of Gillespie

Macoupin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Gillespie Old City Lake, City of Gillespie

Macoupin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Glades – 12 Mile Island Wildlife Management Area (19)

Jersey County

Gladstone Lake, Henderson County Conservation Area

Henderson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel or Blue Catfish (14) - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 1 Fish \geq 15" and/or 2 < 12" Daily (31)

Glen Oak Park Lagoon, Peoria Park District

Peoria County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Glen Shoals Lake, City of Hillsboro

Montgomery County

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|--|---|
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
| Striped, White, or Hybrid Striped Bass | - 17" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass
(16) | - 3 Fish Daily Creel Limit |
|
 | |
| Godar-Diamond/Hurricane Island Wildlife Management Area (19)
Calhoun County | |
|
 | |
| Gompers Park Lagoon, Chicago Park District
Cook County | |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 4 Fish Daily Creel Limit |
|
 | |
| Gordon F. More Park Lake, City of Alton
Madison County | |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | - 25 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
|
 | |
| Governor Bond Lake, City of Greenville
Bond County | |
| Channel Catfish | - All jugs must be attended at all times while
fishing (2) |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
| Striped, White, or Hybrid Striped Bass | - 17" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass
(16) | - 3 Fish Daily Creel Limit |
| White, Black, or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit |
|
 | |
| Grayslake Park District (Grayslake and Park Ponds), City of Grayslake
Lake County | |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Greenfield City Lake, City of Greenfield

Greene County

- | | |
|---------------------------------|---|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | - 25 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 12"-15" Protected Slot Length Limit (no possession) |
| Large or Smallmouth Bass | - 5 Fish < 12" and 1 Fish > 15" Daily Creel Limit |

Greenville Old City Lake, Kingsbury Park District

Bond County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Trout | - Fall Closed Season (10) |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Grove Lake, DuPage County Forest Preserve District

DuPage County

- | | |
|--------------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 3 Fish Daily Creel Limit |
| Channel Catfish | - 12" Minimum Length Limit |
| Large or Smallmouth Bass | - 18" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
| White, Black, or Hybrid Crappie | - 9" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 15 Fish Daily Creel Limit |

Hanover Lake – Apple River Canyon State Park, State of Illinois

Jo Daviess County

- | | |
|---------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | - 25 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Harrisburg New City Reservoir, City of Harrisburg

Saline County

- | | |
|----------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
|----------|------------------------------------|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|---|----------------------------|
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Striped, White, or Hybrid Striped Bass | - 17" Minimum Length Limit |
| Striped, White or Hybrid Striped Bass
(16) | - 3 Fish Daily Creel Limit |

Heidecke Lake, Heidecke Lake State Fish and Wildlife Area
Grundy County (41)

- | | |
|--|--|
| Recreational Use Restrictions | - Heidecke Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season |
| | - All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Black, White, or Hybrid Crappie (15) | - 15 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass (14) | - 12" to 18" Protected Slot (no possession); 1 > 18" and 2 < 12" Daily Creel Limit (46) |
| Pure Muskellunge | - 48" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass
(16) | - 10 Creel/3 Fish 17" or Longer Daily (17) |
| Walleye, Sauger, or Hybrid Walleye | - 16" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye
(14) | - 3 Fish Daily Creel Limit |

Helmbold Slough (19)
Calhoun County

Henderson Creek State Fish and Wildlife Area
Henderson County

- | | |
|-------------------------------|--|
| Recreational Use Restrictions | - It shall be unlawful to trespass upon a designated waterfowl hunting area during the 7 days prior to regular duck season or to fish on such areas during the regular duck season except in areas posted as |
|-------------------------------|--|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

open to fishing; it shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of the regular duck season through the end of duck and Canada Goose season (33)

Hennepin Canal – Mainline & Feeder, Hennepin Canal Parkway State Park

Multiple Counties

- All Fish - 2 Pole and Line Fishing Only (1) (13)
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Hennepin-Hopper Lakes, The Wetlands Initiative

Putnam County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Black, White or Hybrid Crappie - 9" Minimum Length Limit
- Black, White or Hybrid Crappie (15) - 25 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Pure Muskellunge - 42" Minimum Length Limit
- Walleye, Sauger or Hybrid Walleye - 18" Minimum Length Limit
- Walleye, Sauger or Hybrid Walleye (14) - 3 Fish Daily Creel Limit

Herrin Lake #1, City of Herrin

Williamson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Herrin Lake #2, City of Herrin

Williamson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Hidden Springs State Forest Pond, Hidden Springs State Forest

Shelby County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Highland Old City Lake, City of Highland

Madison County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)

Hillsboro Old City Lake, City of Hillsboro

Montgomery County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12-15" Slot Length Limit

Homer Guthrie Pond – Eldon Hazlet State Park, State of Illinois

Clinton County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Homer Lake, Champaign County Forest Preserve District

Champaign County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- White, Black, or Hybrid Crappie - 9" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Hormel Pond, Donnelly State Fish and Wildlife Area

Bureau County

All Fish - 2 Pole and Line Fishing Only (1) (5)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Horseshoe Lake – Alexander Co., Horseshoe Lake Conservation Area

Alexander County

Recreational Use Restrictions - Only trolling motors in refuge from
 October 15-March 1
 All Fish - 2 Pole and Line Fishing Only (1) (5)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Horseshoe Lake – Madison County, Horseshoe Lake State Park (19)

Madison County

All Fish - 2 Pole and Line Fishing Only (1) (5) (28)
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 White, Black or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Horsetail Lake, Cook County Forest Preserve District

Cook County

All Fish - 2 Pole and Line Fishing Only (1) (36)
 Bluegill, Redear, or Pumpkinseed - 15 Fish Daily Creel Limit
 Sunfish (14)
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Trout - Fall Closed Season (10)
 White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Horton Lake, Nauvoo State Park

Hancock County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Humbolt Park Lagoon, Chicago Park District

Cook County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit
Hurricane Pond, Fox Ridge State Park	
Coles County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 5 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Illinois & Michigan Canal, State of Illinois	
Grundy/LaSalle/ Will Counties	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)
Illinois Beach State Park Ponds, Illinois Beach State Park	
Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Illinois Department of Transportation Lake, State of Illinois	
Sangamon County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Illinois River – Pool 26 (19)	
Calhoun County	
Illinois River – Starved Rock and Marseilles Pools	
LaSalle and Grundy Counties	
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Illinois River – State of Illinois

Multiple Counties

Large or Smallmouth Bass - 12" Minimum Length Limit

Indian Boundary South Pond, Frankfort Square Park District

Will County

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creel Limit

Iroquois & Kankakee Rivers and their Tributaries, State of Illinois

Multiple Counties

Walleye, Sauger and Hybrid Walleye - 14" Minimum Length Limit

Walleye, Sauger and Hybrid Walleye (14) - 18" to 26" Protected Slot (no possession); 3 Fish Daily Creel of which only 1 can be > 26" (47)

Island Pond, Boone County Conservation District

Boone County

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creel Limit

Large or Smallmouth Bass - 14" Minimum Length Limit

Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Jackson Park (Columbia Basin) Lagoon, Chicago Park District

Cook County

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 4 Fish Daily Creel Limit

Jericho Lake, Fox Valley Park District

Kane County

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 3 Fish Daily Creel Limit

Large or Smallmouth Bass - 15" Minimum Length Limit

Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Black, White, or Hybrid Crappie - 9" Minimum Length Limit

Black, White, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Jim Edgar/Panther Creek Fish and Wildlife Area, All Lakes and Ponds, Jim Edgar/Panther

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Creek Fish and Wildlife Area

Cass County

- | | |
|-------------------------------|--|
| Recreational Use Restrictions | - All live bait \geq 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
| Pure Muskellunge | - 48" Minimum Length Limit |

Jim Edgar/Panther Creek Fish and Wildlife Area – Drake Lake, Jim Edgar/Panther Creek Fish and Wildlife Area

Cass County

- | | |
|---------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | - 10 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Jim Edgar/Panther Creek Fish and Wildlife Area, Gurney Road Pond, Jim Edgar/Panther Creek Fish and Wildlife Area

Cass County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
| Trout | - Spring Closed Season (11) |

Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park

Henry County

- | | |
|-------------------------------|---|
| Recreational Use Restrictions | - All live bait $>$ 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |

Jones Lake Trout Pond, Saline County Conservation Area

Saline County

- | | |
|-------|---------------------------|
| Trout | - Fall Closed Season (10) |
|-------|---------------------------|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Jones Park Lake, City of East St. Louis

St. Clair County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Jones State Lake, Saline County Conservation Area

Saline County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14"-18" Protected Slot Length Limit (no possession) (38)
Large or Smallmouth Bass (14)	- 5 Fish < 14" and 1 Fish > 18" Daily Creel Limit

Jubilee College State Park Pond, Jubilee College State Park

Peoria County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Kankakee-Iroquois Rivers and their Tributaries, State of Illinois

Multiple Counties

Walleye, Sauger, and Hybrid Walleye	- 14" Minimum Length Limit
Walleye, Sauger, and Hybrid Walleye (14)	- 18" to 26" Protected Slot (no possession); 3 Fish Daily Creel of which only 1 can be > 26" (47)

Kankakee River, from the Kankakee Dam to the mouth of the Kankakee River, including tributaries, State of Illinois

Multiple Counties

Smallmouth Bass	- 12"-18" Protected Slot Length Limit (no possession)
Smallmouth Bass	- 1 Fish > 18" and 2 Fish < 12" Daily Creel Limit (37)

Kaskaskia River Fish and Wildlife Area – Doza Creek Wildlife Management Area (33)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

St.Clair County

Kendall Co. Lake #1, Kendall County Forest Preserve District

Kendall County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Kent Creek

Winnebago County

Trout	- Catch and Release Fishing Only (9)
-------	--------------------------------------

Kickapoo State Park Lakes & Pond, Kickapoo State Park

Vermilion County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	-10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 12"-15" Protected Slot Length Limit (no possession); 3 Fish Daily Creel Limit of which no more than 1 fish may be ≥ 15 " and no more than 2 may be < 12 " (31)

Kincaid City Reservoir, City of Kincaid

Christian County

All Fish	- 2 Pole and Line Fishing Only (1) <u>(5)</u>
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Kincaid Lake, Kincaid Lake State Fish and Wildlife Area

Jackson County

Recreational Use Restrictions	- All live bait > 8 " must be rigged with a quick set rig (43)
Large or Smallmouth Bass	- 16" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Kinmundy Reservoir, City of Kinmundy

Marion County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Kishwaukee River and South Branch of Kishwaukee River and Tributaries, State of Illinois

Multiple Counties

Smallmouth Bass	- 14" Minimum Length Limit
-----------------	----------------------------

Lake Atwood, McHenry County Conservation District

McHenry County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)

Lake Bloomington, City of Bloomington

McLean County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Lake Carlton, Morrison-Rockwood State Park

Whiteside County

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 36" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Lake Chaminwood, Will County Forest Preserve District

Will County

All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit
 Channel Catfish - 3 Fish Daily Creel Limit
 Large or Smallmouth Bass - 18" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lake Co. Forest Preserve District Lakes (except Independence Grove Lake), Lake County

Forest Preserve District

Lake County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 3 Fish Daily Creel Limit
 Large Smallmouth Bass (14) - 1 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Walleye, Sauger, or Hybrid Walleye - 16" Minimum Length Limit

Lake Decatur, City of Decatur

Macon County

All Fish - 2 Pole and Line Fishing Only (1) (29) (36)
 White, Black, or Hybrid Crappie - 10" Minimum Length Limit
 White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Lake Depue Fish and Wildlife Area (33)

Bureau County

Lake Eureka, City of Eureka

Woodford County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lake George, Loud Thunder Forest Preserve

Rock Island County

Recreational Use Restrictions - All live bait > 8" must be rigged with a

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

	quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 36" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Lake Jacksonville, City of Jacksonville	
Morgan County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Lake Kakusha, City of Mendota	
LaSalle County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Lake Le-Aqua-Na Kids Only Fishing Pond, Lake Le-Aqua-Na State Park	
Stephenson County	
Recreational Use Restrictions	- Only kids under 16 years of age permitted to fish
Channel Catfish	- 1 Fish Daily Creel Limit
Bluegill or Redear Sunfish and Their Hybrids	- 10 Fish Daily Creel Limit
Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park	
Stephenson County	

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Lake Mendota, City of Mendota

LaSalle County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish > 15" &/or 2 < 12" Daily (31)

Lake Michigan (Illinois Portion), State of Illinois

Lake/Cook Counties

Trout and Salmon	- 10" Minimum Length Limit
Trout and Salmon	- No more than 5 fish of any one species daily, except for Lake Trout
Lake Trout	- 2 Fish Daily Creel Limit
Yellow Perch	- 15 Fish Daily Creel Limit
Yellow Perch	- Closed During July (exception: 10 fish daily limit during July for youth under age 16)
Large or Smallmouth Bass	- 21" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
<u>Lake Whitefish and Round Whitefish</u>	<u>- 12 Fish (in aggregate) Daily Creel Limit</u>

Lake Milliken, Des Plaines Conservation Area

Will County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)

Lake Mingo & Kennekuk Cove Park Ponds, Vermilion County Conservation Area

Vermilion County

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (44)
Bluegill or Redear Sunfish (14)	- No more than 5 fish > 7" permitted; unlimited daily creel for fish 7" and under

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

Lake Murphysboro, Lake Murphysboro State Park

Jackson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Lake Nellie, City of St. Elmo

Fayette County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District

Champaign County

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- No more than 5 fish > 7" permitted; unlimited daily creel for fish \leq 7"
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)

Lake Owen, Hazel Crest Park District

Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Lake Paradise, City of Mattoon

Coles County

All Fish	- 2 Pole and Line Fishing Only (1)
----------	------------------------------------

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass - 14" Minimum Length Limit

Lake Sara, City of Effingham
Effingham County

Large or Smallmouth Bass - 14" Minimum Length Limit

White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Lake Shelbyville (21), U.S. Army Corps of Engineers
Moultrie/Shelby Counties

Recreational Use Restrictions - During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.

- All live bait > 8" must be rigged with a quick set rig (43)

Large or Smallmouth Bass - 14" Minimum Length Limit

Pure Muskellunge - 48" Minimum Length Limit (40)

White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit with only 5 Fish < 10" and 10 Fish \geq 10" permitted

Lake Shelbyville – U.S. Army Corps of Engineers Project Ponds and Wood Lake, and Lake Shelbyville State Fish and Wildlife Management Area Ponds (33)

Moultrie/Shelby Counties

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creel Limit

Large or Smallmouth Bass - 14" Minimum Length Limit

White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit with only 5 Fish < 10" and 10 Fish \geq 10" permitted

Lake Shermerville, Northbrook Park District
Cook County

All Fish - 2 Pole and Line Fishing Only

Channel Catfish - 6 Fish Daily Creel Limit

Lake Sinnissippi (33)
Whiteside County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Lake Springfield, City of Springfield
Sangamon County

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie - 10" Minimum Length Limit

Lake Storey, City of Galesburg
Knox County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Bluegill and Redear Sunfish (14) - 25 Fish Daily Creel Limit
- Channel or Blue Catfish (14) - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 1 Fish > 15" and/or 5 < 12" Daily (12)
- Pure Muskellunge - 42" Minimum Length Limit
- Walleye, Sauger, or Hybrid Walleye (14) - 3 Fish Daily Creel Limit

Lake Strini, Village of Romeoville
Will County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Lake Sule, Flagg-Rochelle Park District
Ogle County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 5 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Pure Muskellunge - 36" Minimum Length Limit
- White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel Limit

Lake Taylorville, City of Taylorville
Christian County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|--------------------------------------|-----------------------------|
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| White, Black, or Hybrid Crappie | - 9" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit |

Lake Vandalia, City of Vandalia

Fayette County

- | | |
|--|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass | - 17" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass
(16) | - 3 Fish Daily Creel Limit |

Lake Vermilion, Vermilion County Conservation District

Vermilion County

- | | |
|--------------------------------------|---|
| All Fish | - 2 Pole and Line Fishing Only (1) (26)
(except that sport fishermen may take carp, carpsuckers, buffalo, gar, bowfin, and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices north of Boiling Springs Road, but not within 300 feet around the wetland boardwalk) |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| White, Black, or Hybrid Crappie | - 9" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit |

Lake Victoria, City of South Beloit

Winnebago County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Lake Williamsville, City of Williamsville

Sangamon County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |

LaSalle Lake, LaSalle Lake State Fish and Wildlife Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

LaSalle County

- | | |
|---|--|
| Recreational Use Restrictions | - Waterfowl refuge or hunting area; site regulations apply |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 18" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass (16) | - 10 Creel/3 Fish \geq 17" Daily (17) |

Levings Lake, Rockford Park District

Winnebago County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site

Coles County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Lincoln Park North Lagoon, Chicago Park District

Cook County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 4 Fish Daily Creel Limit |

Lincoln Park South Lagoon, Chicago Park District

Cook County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 4 Fish Daily Creel Limit |

Lincoln Trail Lake, Lincoln Trail State Park

Clark County

- | | |
|--------------------------|---|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14-18" Slot Length Limit (14" to 18" protected) |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass (14)	- 4 Creel/1 Fish > 18" Daily (daily Catch Limit for large or smallmouth bass, singly or in the aggregate, shall not exceed 4 fish per day, no more than one of which shall be > 18" in length)
-------------------------------	--

Litchfield City Lake, City of Litchfield
Montgomery County

Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit – 1 Fish ≥ 15" and 2 Fish < 15" Total Length (25)
White, Black or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

Loami Reservoir, City of Loami
Sangamon County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Lou Yeager Lake, City of Litchfield
Montgomery County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Mackinaw Ponds 1, 2, and 3, Mackinaw State Fish and Wildlife Area
Tazewell County

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Macon County Conservation District Ponds (see also Rock Springs Pond and Rock Springs Bike Trail Pond), Macon County Conservation District

Macon County
All Fish

- 2 Pole and Line Fishing Only (1)

Mallard Lake, DuPage County Forest Preserve District
DuPage County

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
-------------------------------	---

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Channel Catfish	- 12" Minimum Length Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
Maple Lake, Cook County Preserve District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1) (36)
Bluegill, Redear, or Pumpkinseed Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
Marine Heritage Lake, Village of Marine	
Madison County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Marissa City Lake, City of Marissa	
St. Clair County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Marquette Park Lagoon, Chicago Park District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit
Marshall County Conservation Area (Fishing Ditch), Marshall County Conservation Area (33)	

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Marshall County
All Fish - 2 Pole and Line Fishing Only (1)
- Marshall County Conservation Area – Sparland Unit (33)
Marshall County
- Mascoutah Reservoir, City of Mascoutah
St. Clair County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Matthiessen Lake, Matthiessen State Park
LaSalle County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel limit
Large or Smallmouth Bass - 14" Minimum Length Limit
- Mattoon Lake, City of Mattoon
Coles County
All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 14" Minimum Length Limit
- Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area
Bureau County
All Fish - 2 Pole and Line Fishing Only (1) (34)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Mauvaise Terre/Morgan Lake, City of Jacksonville
Morgan County
Large or Smallmouth Bass - 15" Minimum Length Limit
- Mazonia Lakes & Ponds (excluding Ponderosa Lake), Mazonia State Fish and Wildlife Area (33)
Grundy/Kankakee/Will Counties

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
McCullom Lake, City of McHenry	
McHenry County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
McKinley Park Lagoon, Chicago Park District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit
McLeansboro City Lakes, City of McLeansboro	
Hamilton County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Mechanicsburg Park Pond, City of Mechanicsburg	
Sangamon County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Meredosia Lake – Cass County Portion Only (meandered waters only) (33)	
Cass County	
Meredosia Lake, Cass County Portion	
Cass County	
Recreational Use Restrictions	- Meandered waters only; All boat traffic is prohibited from operating on meandered

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes

Mermet State Lake, Mermet Lake Conservation Area (33)

Massac County

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Middle Fork Forest Preserve Pond, Champaign County Forest Preserve

Champaign County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Middle Fork of the Vermilion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area

Vermilion County

- All Fish - 2 Pole and Line Fishing Only (1)

Mill Creek Lake, Clark County Park District

Clark County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 2 Fish < 15" and 1 fish ≥ 15" daily (25)
- Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Pure Muskellunge - 42" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit, of which only 2

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

fish can be 12" or longer

Mill Pond, Pearl City Park District
Stephenson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Mill Race Ponds, Belvidere Park District
Boone County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Trout - Spring Closed Season (11)

Miller Park Lake, Bloomington Park District
McLean County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 3 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Trout - Spring Closed Season (11)

Mineral Springs Park Lagoon, City of Pekin
Tazewell County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)

Mississippi River Pools 16, 17, 18, 21, 22, 24 (33)
Multiple Counties

Mississippi River Pools 25 and 26 (19)
Multiple Counties

Mississippi River (between IL & IA), State of Illinois
Multiple Counties

- Recreational Use Restrictions - Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|---|---|
| All Fish | - Maximum treble hook size is 5/0; gaffs may not be used to land paddlefish |
| | - Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures while trolling |
| Bluegill or Pumpkinseed Sunfish | - 25 Fish Daily Creel Limit singly or in aggregate |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 5 Fish Daily Creel Limit |
| Northern Pike | - 5 Fish Daily Creel Limit |
| Paddlefish | - Snagging for paddlefish is permitted from ½ hour before sunrise to ½ hour after sunset daily, March 1 through April 15 within a 500 yard downstream limit below locks and dams on the Mississippi River between Illinois and Iowa; daily catch limit is 2 fish; the maximum length limit for paddlefish taken from the Mississippi River between Illinois and Iowa is 33" eye-fork length (EFL) (all paddlefish \geq to 33" EFL must be immediately released back to the Mississippi River); no sorting allowed; once the daily limit of paddlefish has been reached, snagging must cease |
| Rock Bass | - 25 Fish Daily Creel Limit |
| Striped, White, Yellow or Hybrid Striped Bass | - 25 Fish Daily Creel Limit singly or in aggregate – statewide regulation limiting daily creel to 3 fish \geq 17" is not in effect on the Mississippi River between Illinois and Iowa |
| Walleye and Sauger (14) | - 6 Fish Daily Creel Limit with no more than 1 walleye $>$ 27" in total length |
| Walleye | - 15" Minimum Length Limit with a 20-27" Protected Slot Length Limit (24) |
| White, Black or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit singly or in aggregate |
| Yellow Perch | - 25 Fish Daily Creel Limit |

Mississippi River (between IL & MO), State of Illinois

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Multiple Counties

Recreational Use Restrictions

- Boating prohibited on refuge area (Ellis Bay) immediately upstream of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15
- Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed
- 100 Total Fish Daily Creel Limit

All Nongame Species Combined
(Excludes endangered and threatened species and the following game species: Crappie, Channel/Blue/Flathead Catfish, Rock Bass, Warmouth, White/Yellow/Striped/Hybrid Striped Bass, Trout, Largemouth/Smallmouth/Spotted Bass, Muskellunge, Northern Pike, Chain/Grass Pickerel, Walleye, Sauger, Paddlefish)

Channel or Blue Catfish (14)

- 20 Fish Daily Creel Limit

Flathead Catfish

- 10 Fish Daily Creel Limit

Largemouth, Smallmouth, Spotted Bass

- 12" Minimum Length Limit or

Northern Pike

- 1 Fish Daily Creel Limit

Paddlefish

- 24" Eye to Fork Minimum Length Limit

Paddlefish

- Snagging for paddlefish is permitted from September 15 through December 15 and March 15 through May 15 within a 300 yard downstream limit below locks and dams on the Mississippi River between Illinois and Missouri except for the Chain of Rocks low water dam at Chouteau Island, also known as Dam 27 at the Chain of Rocks (Madison County) where no snagging is permitted; daily catch limit is 2 fish; sorting is permitted; every paddlefish ≥ 24 " in eye to fork length must be taken into immediate possession and included in the daily catch limit; paddlefish < 24 " eye to fork length must be returned

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- immediately to the water; once the daily limit of paddlefish has been reached, snagging must cease
- Striped, White, Yellow or Hybrid Striped Bass - 30 Fish Daily Creel Limit singly or in aggregate – statewide regulation limiting daily creel to 3 fish \geq 17" is not in effect on the Mississippi River between Illinois and Missouri
- Walleye and Sauger (14) - 8 Fish Daily Creel Limit
- White, Black or Hybrid Crappie (15) - 30 Fish Daily Creel Limit

Monee Reservoir, Will County Forest Preserve District
Will County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Montrose Lake, City of Montrose
Cumberland County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Mt. Olive City Lakes (Old and New), City of Mt. Olive
Macoupin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Mt. Pulaski Park District Lake, Mt. Pulaski Park District
Logan County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 3 Fish Daily Creel Limit

Mt. Sterling Lake, City of Mt. Sterling
Brown County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 12-15" Slot Length Limit (3) |

Mt. Vernon City Park Lake, City of Mt. Vernon

Jefferson County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm

Jefferson County

- | | |
|----------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Trout | - Fall Closed Season (10) |
| Trout | - Spring Closed Season (11) |

Mundelein Park District Ponds , City of Mundelein

Lake County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Nashville City Lake, City of Nashville

Washington County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 18" Minimum Length Limit |

Newton Lake, Newton Lake State Fish and Wildlife Area (41) (33)

Jasper County

- | | |
|-------------------------------|--|
| Recreational Use Restrictions | - The cold water arm of Newton Lake shall be closed daily from one-half hour before sunrise until 1:00 p.m. to all fishing and boat traffic except for legal waterfowl hunters during waterfowl season commencing with regular duck season through the close of the Canada goose and |
|-------------------------------|--|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- regular duck season; fishing tournaments prohibited from June 1 through August 31
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie - 10" Minimum Length Limit

Norris City Reservoir, City of Norris City

White County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit

~~North Marcum Campground Pond, U.S. Army Corps of Engineers~~

~~Franklin County~~

- ~~All Fish - 2 Pole and Line Fishing Only (1)~~
- ~~Channel Catfish - 6 Fish Daily Creel Limit~~
- ~~Large or Smallmouth Bass - 14" Minimum Length Limit~~
- ~~Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit~~

Oakland City Lake, City of Oakland

Coles County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Oblong Lake, City of Oblong

Crawford County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Ohio River (between Illinois & Kentucky), State of Illinois

Multiple Counties

- Large or Smallmouth Bass - 12" Minimum Length Limit
- Northern Pike - No Length or Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Muskie or Tiger Muskie	- 2 Fish Daily Creel Limit
Muskie or Tiger Muskie	- 30" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 30 Fish Daily Creel Limit
Striped, White, Yellow or Hybrid Striped Bass	- 30 Creel/4 Fish \geq 15" Daily (32)

Ohio River – Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties, excluding Wabash River and Saline River Above Route 1 Bridge)

Multiple Counties

Large and Smallmouth Bass	- 12" Minimum Length Limit
---------------------------	----------------------------

Old Kinmundy Reservoir, City of Kinmundy

Marion County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Olsen Lake, Rock Cut State Park

Winnebago County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Omaha City Reservoir, City of Omaha

Gallatin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Omaha Township Reservoir, City of Omaha

Gallatin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Otter Lake, Otter Lake Water Commission

Macoupin County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass (16)	- 10 Creel/3 Fish \geq 17" (17)
Pure Muskellunge	- 48" Minimum Length Limit (40)

Palmissano Pond (Stern's Park Quarry), Chicago Park District

Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
All Fish	- Catch and Release Fishing Only (9)

Palmyra – Modesto Water Commission Lake, Palmyra/Modesto Water Commission

Macoupin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Pana Lake, City of Pana

Shelby and Christian Counties

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Paris East & West Lakes, City of Paris

Edgar County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area (see also Willow Lake for additional regulations)

St Clair County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Pecatonica River and Tributaries, State of Illinois
Winnebago/Stephenson Counties

Smallmouth Bass	- 14" Minimum Length Limit
-----------------	----------------------------

Perry Farm Pond, Bourbonnais Park District
Kankakee County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Piasa (19)
Madison/Jersey Counties

Pierce Lake, Rock Cut State Park
Winnebago County

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (7)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Pinckneyville Lake, City of Pinckneyville
Perry County

Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Pine Creek
Ogle County
Trout

	- Spring Closed Season (11)
--	-----------------------------

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Pine Creek (within the boundaries of White Pines Forest State Park)

Ogle County

- All Fish - 2 Pole and Line Fishing Only (1)
- Trout - Spring Closed Season (11)

Pine Lake, Village of University Park

Will County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Piscasaw Creek

McHenry County

- Trout - 9" Minimum Length Limit
- Trout - Spring Closed Season (11)

Pittsfield City Lake, City of Pittsfield

Pike County

- All Fish - 2 Pole and Line Fishing Only (1) (7)
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass - 17" Minimum Length
- Striped, White, or Hybrid Striped Bass - 3 Fish Daily Creel Limit
- (16)

Pocahontas Park Ponds, City of Pocahontas

Bond County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Ponderosa Lake, Mazonia State Fish and Wildlife Area (33)

Grundy County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel Limit

Powerton Lake, Powerton Lake Fish and Wildlife Area (39)

Tazewell County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Recreational Use Restrictions	- Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during regular Canada goose and duck season
All Fish	- 2 Pole and Line Fishing Only (1)
Channel or Blue Catfish (14)	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass (16)	- 10 Creel/3 Fish \geq 17" Daily (17)
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit

Prospect Pond, City of Moline

Rock Island County

Trout

- Fall Closed Season (10)

Pyramid State Park – Blue Wing Lake, Green Wing Lake and Goldeneye Lake, Pyramid State Park

Perry County

Recreational Use Restrictions

- Waterfowl Hunting Area (from October 28 through February 28 fishing is permitted in designated areas only, and fishing hours are from ½ hour before sunrise to 2 p.m.)
- All live bait in excess of 8" must be rigged with a quick set rig (43)

All Fish

- 2 Pole and Line Fishing Only (1) (5)

Bluegill or Redear Sunfish (14)

- 25 Fish Daily Creel Limit

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass

- 14 to 18" Protected Slot (no possession)

Large or Smallmouth Bass (14)

- 1 Fish $>$ 18" and 5 Fish $<$ 14" (40)

Pure Muskellunge

- 48" Minimum Length Limit

White, Black, or Hybrid Crappie (15)

- 25 Fish Daily Creel Limit

Pyramid State Park – Captain, Denmark, Galum and East Conant Areas – All Lakes and Ponds except Blue Wing Lake, Green Wing Lake and Goldeneye Lake, Pyramid State Park

Perry County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Recreational Use Restrictions	- Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting prohibited from October 28 through February 28)
	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" to 18" Protected Slot (no possession)
Large or Smallmouth Bass (14)	- 1 Fish > 18" and 5 Fish < 14" (40)
Pure Muskellunge	- 48" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Pyramid State Park Lakes & Ponds (excluding Captain, Denmark, Gallum and East Conant Areas), Pyramid State Park

Perry County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" to 18" Protected Slot (no possession)
Large or Smallmouth Bass (14)	- 1 Fish > 18" and 5 Fish < 14" (40)

Raccoon Lake, City of Centralia

Marion County

Large or Smallmouth Bass	- 15" Minimum Length Limit
--------------------------	----------------------------

Ramsey Lake, Ramsey Lake State Park

Fayette County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Ramsey Lake State Park Ponds, Ramsey Lake State Park

Fayette County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Randolph County Lake, Randolph County Conservation Area

Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)

Red Hills Lake, Red Hills State Park

Lawrence County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Red's Landing Wildlife Management Area (19)

Calhoun County

(Walk-in area closed to trespassing 7 days prior to duck season)

Redwing Slough/Deer Lake (33)

Lake County

Rend Lake, U.S. Army Corps of Engineers (22) (33)

Franklin and Jefferson Counties

Channel Catfish	- All jugs must be attended at all times while fishing (2)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Striped, White, Yellow, or Hybrid Striped Bass (8)	- 20 Creel/3 Fish \geq 17" Daily
White, Black or Hybrid Crappie (15)	- 25 Creel/10 Fish \geq 10" Daily

Rend Lake Project Ponds – Jackie Branch Pond, Ina N. Borrow Pit, Green Heron Pond, North Marcum Campground Pond, U.S. Army Corps of Engineers

Franklin and Jefferson Counties

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Rice Lake Fish and Wildlife Area (33)
Fulton County

Ridge Lake, Fox Ridge State Park
Coles County

All Fish	- 2 Pole and Line Fishing Only (1) (27)
Channel Catfish	- 14" Minimum Length Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Riis Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Riprap Landing (19)
Calhoun County

River Bend Forest Preserve Lakes (Sunset Lake and Shadow Lake), Champaign County Forest
Preserve District

Champaign County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Riverside Park Lagoon, Moline Park District
Rock Island County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Rochester Park Pond, City of Rochester
Sangamon County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|-------------------------------|----------------------------|
| Channel Catfish | - 3 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Rock Creek, State of Illinois

Kankakee County

- | | |
|-------|-----------------------------|
| Trout | - Spring Closed Season (11) |
|-------|-----------------------------|

Rock River, from the Sears and Steel Dam downstream to confluence of the Mississippi River,
State of Illinois

Rock Island County

- | | |
|-------------------------|---|
| Walleye | - 15" Minimum Length Limit with a 20-27"
Protected Slot Length Limit (24) |
| Walleye and Sauger (14) | - 6 Fish Daily Creel Limit with no more than 1
walleye > 27" in total length |

Rock River, Wisconsin State Line downstream to confluence of the Mississippi River, including
tributaries, State of Illinois

Multiple Counties

- | | |
|-----------------|----------------------------|
| Smallmouth Bass | - 14" Minimum Length Limit |
|-----------------|----------------------------|

Rock Springs Bike Trail Pond, Macon County Conservation District

Macon County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Rock Springs Pond, Macon County Conservation District

Macon County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
| Trout | - Fall Closed Season (10) |

Roodhouse Park Lake, City of Roodhouse

Green County

- | | |
|----------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
|----------|------------------------------------|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit

Route 6 Quarries (East and West), Will County Forest Preserve District

Will County

All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit
 Channel Catfish - 3 Fish Daily Creel Limit
 Large or Smallmouth Bass - 18" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Route 154 Day Use Pond, State of Illinois

Randolph County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Sag Quarry East, Cook County Forest Preserve District

Cook County

Bluegill, Redear, or Pumpkinseed Sunfish (14) - 15 Fish Daily Creel Limit
 Rainbow Trout - Spring Closed Season (11)
 White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Sahara Woods Fish and Wildlife Area, State of Illinois

Saline County

All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 18" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
 White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

St. Elmo South Lake, City of St. Elmo

Fayette County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Salem Reservoir, City of Salem

Marion County

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Sam Dale Lake, Sam Dale Conservation Area

Wayne County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Pure Muskellunge - 48" Minimum Length Limit

Sam Dale Trout Pond, Sam Dale Conservation Area

Wayne County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Sam Parr Lake, Sam Parr State Park

Jasper County

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Sand Lake, Illinois Beach State Park

Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Sanganois Conservation Area (33) (42)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Mason/Cass/Schuyler/Menard Counties

Large or Smallmouth Bass

- 12" Minimum Length Limit

Sangchris Lake, Sangchris Lake State Park

Christian/Sangamon Counties

Recreational Use Restrictions

- Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season

All Fish

- 2 Pole and Line Fishing Only (1) (45)

Large or Smallmouth Bass

- 15" Minimum Length Limit

Large or Smallmouth Bass (14)

- 3 Fish Daily Creel Limit

White, Black, or Hybrid Crappie (15)

- 10 Fish Daily Creel Limit

White, Black, or Hybrid Crappie

- 10" Minimum Length Limit

Sangchris Lake Park Ponds, Sangchris Lake State Park

Sangamon County

All Fish

- 2 Pole and Line Fishing Only (1)

Schiller Pond, Cook County Forest Preserve District

Cook County

All Fish

- 2 Pole and Line Fishing Only (1) (36)

Bluegill, Redear, or Pumpkinseed Sunfish
(14)

- 15 Fish Daily Creel Limit

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass

- 14" Minimum Length Limit

White, Black, or Hybrid Crappie (15)

- 15 Fish Daily Creel Limit

Schuy-Rush Lake, City of Rushville

Schuyler County

All Fish

- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit
 White, Black or Hybrid Crappie - 9" Minimum Length Limit

Senior Citizen's Pond, Kankakee River State Park
 Kankakee County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Sesser City Lake, City of Sesser
 Franklin County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 18" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Shabbona Lake, Shabbona Lake State Park
 DeKalb County

Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
 All Fish - 2 Pole and Line Fishing Only (1) (7)
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Pure Muskellunge - 48" Minimum Length Limit (40)
 Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
 Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit
 Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit
 White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit

Shawnee National Forest Lakes and Ponds less than 10 acres, U.S. Forest Service
 Multiple Counties

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service
 Pope County

All Fish - 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit
 Largemouth, Smallmouth and Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Dutchman Lake, U.S. Forest Service

Johnson County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Lake Glendale, U.S. Forest Service

Pope County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Little Cache #1, U.S. Forest Service

Johnson County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Largemouth or Smallmouth Bass - 15" Minimum Length Limit

Shawnee National Forest – Little Cedar Lake, U.S. Forest Service

Jackson County

All Fish - 2 Pole and Line Fishing Only (1)
 Large or Smallmouth Bass - 14"-18" Protected Slot Length Limit (no possession)
 Large or Smallmouth Bass (14) - 5 Fish < 14" and 1 Fish > 18" Daily Creel Limit (38)
 Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
 Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit

Shawnee National Forest – One Horse Gap Lake, U.S. Forest Service

Pope County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Shawnee National Forest – Pounds Hollow Lake, U.S. Forest Service

Gallatin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Tecumseh Lake, U.S. Forest Service

Hardin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Turkey Bayou, U.S. Forest Service

Jackson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Whoopie Cat Lake, U.S. Forest Service

Hardin Counties

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Sherman Park Lagoon, Chicago Park District

Cook County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 4 Fish Daily Creel Limit

Siloam Springs Lake, Siloam Springs State Park

Adams County

- All Fish - 2 Pole and Line Fishing Only (1) (7)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Siloam Springs State Park Buckhorn Unit Waters, Siloam Springs State Park

Brown County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Silver Lake, City of Highland

Madison County

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Silver Lake, DuPage County Forest Preserve District

Dupage County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Channel Catfish	- 12" Minimum Length Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie	- 9" Minimum Length Limit
White, Black or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Fish and Wildlife Area

Kendall County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Skokie Lagoons, Cook County Forest Preserve District

Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Bluegill, Redear, or Pumpkinseed Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|--------------------------------------|-----------------------------|
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye | - 18" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 15 Fish Daily Creel Limit |

Snakeden Hollow State Fish and Wildlife Area – McMaster Lake & Other Site Waters, State of Illinois

Knox County

- | | |
|---|--|
| Recreational Use Restrictions | - Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting prohibited from 14 days prior to duck season through the end of the central zone Canada goose season) |
| | - All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | - 10 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit with only one fish $\geq 15"$ |
| Pure Muskellunge | - 42" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye (14) | - 3 Fish Daily Creel Limit |
| White, Black, or Hybrid Crappie (15) | - 5 Fish Daily Creel Limit |

Sparta City Lakes, City of Sparta

Randolph County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |

Sparta City Reservoir (South), City of Sparta

Randolph County

- | | |
|---------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Bluegill or Redear Sunfish (14) | - 15 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |

Sparta "T" Lake, City of Sparta

Randolph County

- | | |
|----------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
|----------|------------------------------------|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Sparta World Shooting and Recreational Complex – Derby Lake, State of Illinois
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill and Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large and Smallmouth Bass	- 18" Minimum Length Limit
Large and Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Sparta World Shooting and Recreational Complex Lakes, State of Illinois
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill and Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large and Smallmouth Bass	- 18" Minimum Length Limit
Large and Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Spencer Lake, Boone County Conservation District
Boone County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Sportsmans' Club Pond, Macon County Conservation District
Macon County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- All Fish - 2 Pole and Line Fishing Only (1)
 Trout - Spring Closed Season (11)

Spring Lake, City of Macomb
 McDonough County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1) (5)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
 Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit

Spring Lakes (North & South), Spring Lake Conservation Area (33)
 Tazewell County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1) (5)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 Pure Muskellunge - 48" Minimum Length Limit (40)
 White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit
 White, Black, or Hybrid Crappie - 9" Minimum Length Limit

Spring Pond, Flagg-Rochelle Park District
 Ogle County

- All Fish - 2 Pole and Line Fishing Only (1)
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Starved Rock State Park (33)
 LaSalle County

Staunton City Lake, City of Staunton
 Macoupin County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

	quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Pure Muskellunge	- 36" Minimum Length Limit

Stephen A. Forbes State Park (33) (see also Forbes State Lake and Forbes State Park Ponds)
Marion County

Sterling Lake, Lake County Forest Preserve District
Lake County

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit

Storm Lake, DeKalb Park District
DeKalb County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Stump Lake Wildlife Management Area (19)
Jersey County

Tampier Lake, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (36)
Bluegill, Redear, or Pumpkinseed Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Taylorville Park District Pond, Taylorville Park District

Christian County

All Fish - 2 Pole and Line Fishing Only (1)
 Trout - Spring Closed Season (11)
 Trout - Fall Closed Season (10)

Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area

Hamilton/Jefferson Counties

(Areas designated as waterfowl rest areas are closed to all access during the Canada goose season only)

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Three Oaks North Lake, City of Crystal Lake

McHenry County

All Fish - 2 Pole and Line Fishing Only (1)
 All Fish - Catch and Release Fishing Only (9)

Three Oaks South Lake, City of Crystal Lake

McHenry County

All Fish - 2 Pole and Line Fishing Only (1)
 All Fish - Catch and Release Fishing Only (9)

Tilton City Lake, City of Tilton

Vermilion County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 3 Fish Daily Creel Limit
 Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Toledo Reservoir, City of Toledo

Cumberland County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Tri-Township Park Pond, City of Troy
Madison County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Turkey Bluff Ponds, State of Illinois
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large and Smallmouth Bass	- 15" Minimum Length Limit
Large and Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Turner Lake, Chain O'Lakes State Park
Lake County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Turtle Lake (East Lake Renwick), Will County Forest Preserve DistrictWill County

<u>All Fish</u>	<u>- 2 Pole and Line Fishing Only (1)</u>
<u>Channel Catfish</u>	<u>- 3 Fish Daily Creel Limit</u>
<u>Large or Smallmouth Bass</u>	<u>- 18" Minimum Length Limit</u>
<u>Large or Smallmouth Bass (14)</u>	<u>- 1 Fish Daily Creel Limit</u>
<u>Bluegill or Redear Sunfish (14)</u>	<u>- 15 Fish Daily Creel Limit</u>

Tuscola City Lake, City of Tuscola
Douglas County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Union County Fish and Wildlife Area – All lakes and ponds

Union County

(All fishing and boat traffic prohibited from October 15 through the last day of February)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit

Valley Lake, Wildwood Park District
Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Valmeyer Lake, City of Valmeyer
Monroe County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Vanhorn Woods Pond, Plainfield Park District
Will County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Vernor Lake, City of Olney
Richland County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Villa Grove East Lake, City of Villa Grove
Douglas County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Villa Grove West Lake, City of Villa Grove
Douglas County

- All Fish - 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 1 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)

Virginia City Reservoir, City of Virginia

Cass County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Waddams Creek

Stephenson County

Trout	- Spring Closed Season (11)
-------	-----------------------------

Walnut Point Lake, Walnut Point State Fish and Wildlife Area

Douglas County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 2015 Fish (either singly or in aggregate) Daily Creel Limit, of which only 5 fish can be \geq 8"
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)

Walton Park Lake, City of Litchfield

Montgomery County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Wampum Lake, Cook County Forest Preserve District

Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Bluegill, Redear, or Pumpkinseed Sunfish (14)	- 15 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|--------------------------------------|-----------------------------|
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 15 Fish Daily Creel Limit |

Washington County Lake, Washington County Conservation Area

Washington County

- | | |
|--|--|
| All Fish | - 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass | - 17" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass
(16) | - 3 Fish Daily Creel Limit |

Washington Park Lagoon, Chicago Park District

Cook County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 4 Fish Daily Creel Limit |

Washington Park Pond, Springfield Park District

Sangamon County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 3 Fish Daily Creel Limit |
| Trout | - Fall Closed Season (10) |
| Trout | - Spring Closed Season (11) |

Watseka City Ponds (Clements Pond, Kapers Pond and Municipal Center Pond), City of Watseka

Iroquois County

- | | |
|--------------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 3 Fish Daily Creel Limit |
| White, Black, or Hybrid Crappie | - 9" Minimum Length Limit |
| White, Black, or Hybrid Crappie (14) | - 10 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Waverly Lake, City of Waverly

Morgan County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Weinberg-King Pond, Weinberg-King State Park

Schuyler County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Weldon Springs Lake, Weldon Springs State Park

DeWitt County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

West Frankfort New City Lake, City of West Frankfort

Franklin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

West Frankfort Old City Lake, City of West Frankfort

Franklin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

West Salem Reservoir, City of West Salem

Edwards County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Whalon Lake, Forest Preserve District of Will County

Will County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit
- Channel Catfish - 3 Fish Daily Creel Limit
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

White Hall City Lake, City of White Hall

Greene County

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit

~~White Oaks Park Lake, City of Bloomington~~~~McLean County~~

- ~~All Fish - 2 Pole and Line Fishing Only (1)~~
- ~~Channel Catfish - 6 Fish Daily Creel Limit~~
- ~~Large or Smallmouth Bass - 15" Minimum Length Limit~~
- ~~Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit~~

Wilderness Pond, Fox Ridge State Park

Coles County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 5 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Wildlife Prairie State Park, State of Illinois

Peoria County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12-18" Protected Slot Length Limit (no possession allowed within the protected slot length limit)
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
- White, Black or Hybrid Crappie - 9" Minimum Length Limit
- White, Black or Hybrid Crappie (15) - 25 Fish Daily Creel Limit
- Pure or Hybrid Muskellunge - 42" Minimum Length Limit

William W. Powers Conservation Area (33)

Cook County

Willow Lake, Peabody River King State Conservation Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

St. Clair County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Trout	- Fall Closed Season (10)

Wolf Lake, William W. Powers Conservation Area (33)

Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Woodford Co. Cons. Area (Fishing Ditch), Woodford County Conservation Area (33)

Woodford County

All Fish	- 2 Pole and Line Fishing Only (1)
----------	------------------------------------

Woodlawn Pond, Frankfort Square Park District

Will County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Wyman Lake, City of Sullivan

Moultrie County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)

Yellow Creek

Stephenson County

Trout	- Spring Closed Season (11)
-------	-----------------------------

(Source: Amended at 37 Ill. Reg. 6658, effective May 1, 2013)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Section 810.70 Free Fishing Days

During the period of June ~~7, 8, 9, 10, 2013 and June 6, 7, 8, 9, 2014~~~~8, 9, 10, 11, 2012~~, it shall be legal for any person to fish in waters wholly or in part within the jurisdiction of the State, including the Illinois portion of Lake Michigan, without possessing a sport fishing license, salmon stamp or inland trout stamp.

(Source: Amended at 37 Ill. Reg. 6658, effective May 1, 2013)

Section 810.80 Emergency Protective Procedures

- a) Emergency procedures will be utilized to protect the sport fisheries resources of the State and the general health, safety and welfare of the general public under the following criteria:
 - 1) Conditions
 - A) When data analysis based upon biological surveys demonstrates that one or more fish species in a fishery is likely to suffer severe deleterious effects due to angling pressure without the procedure; or
 - B) When the Department identifies a water of the State where a fish kill (manmade, natural, or unknown origin) occurs and determines that fishing or the removal of a dead and decaying aquatic life resulting from these conditions poses a threat to public health or safety.
 - 2) The information upon which the procedure is based was not available prior to the time frame required for normal rulemaking procedures.
 - 3) The emergency procedure must have the approval of the Chief, Division of Fisheries.
- b) Emergency procedures will be posted on the Department's website: www.dnr.illinois.gov~~http://www.dnr.state.il.us~~ and at all lake road entrances, boat launching ramps or other heavily used bank fishing areas. A news release explaining the emergency procedures will be given to relevant State agencies,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

local emergency management agencies and local news media (television, newspaper, radio) prior to the effective date. These procedures will remain in effect until the Director of the Department of Natural Resources determines that the relevant conditions listed in Section 810.80(a)(1)(A) and (B) are mitigated. Rescission of the emergency procedures shall be posted on the Department's website and announced to local news media. Emergency procedures that will remain in effect longer than 7 days will result in the Department filing an emergency rule.

(Source: Amended at 37 Ill. Reg. 6658, effective May 1, 2013)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Taking of Reptiles and Amphibians Under A Sport Fishing License
- 2) Code Citation: 17 Ill. Adm. Code 880
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
880.10	Amendment
880.20	Amendment
880.30	Amendment
880.60	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 5/10-30, 10-35, 10-60, 10-115, 20-5 and 20-90 of the Fish and Aquatic Life Code [515 ILCS 5/10-30, 10-35, 10-60, 10-115, 20-5 and 20-90] and the Aquaculture Development Act [20 ILCS 215]
- 5) Effective Date of Amendments: May 1, 2013
- 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 all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: November 30, 2012; 36 Ill. Reg. 16733
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version:

In Section 880.20(b), "Alligator Snapping Turtle" has been made lowercase.

In Section 880.20(c), "between" has been stricken; "and" has been stricken; "both dates inclusive" has been stricken; and "through" has been added after June 15.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 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 Part has been amended to revise the methods of taking and capture of reptiles and amphibians. Snapping turtles will be able to be legally taken by bow and arrow and must be taken into possession once taken with a legal method. Dip nets will no longer be a legal method of capture for snapping turtles or bullfrogs. This Part is also being amended to clarify the daily catch and possession limits of reptiles and amphibians.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Nick San Diego, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 880
THE TAKING OF REPTILES AND AMPHIBIANS
UNDER A SPORT FISHING LICENSE

Section

880.10	Prohibition of Commercial Use
880.20	Methods of Taking and Capture
880.30	Daily Catch and Possession Limits
880.40	Captive Born Reptiles and Amphibians
880.50	Protection of Habitat
880.60	Areas Closed to the Taking of Reptiles and Amphibians
880.70	Additional Protective Regulations

AUTHORITY: Implementing and authorized by Sections 5/10-30, 10-35, 10-60, 10-115, 20-5 and 20-90 of the Fish and Aquatic Life Code [515 ILCS 5/10-30, 10-35, 10-60, 10-115, 20-5 and 20-90] and the Aquaculture Development Act [20 ILCS 215].

SOURCE: Adopted at 16 Ill. Reg. 109, effective December 20, 1991; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 22 Ill. Reg. 14852, effective August 3, 1998; amended at 37 Ill. Reg. 6757, effective May 1, 2013.

Section 880.10 Prohibition of Commercial Use

It is unlawful to take, possess, buy, sell, offer to buy or sell or barter any reptile, amphibian, or their eggs or resulting offspring or parts taken from the wild in Illinois for commercial purposes, unless otherwise authorized by statute.

(Source: Amended at 37 Ill. Reg. 6757, effective May 1, 2013)

Section 880.20 Methods of Taking and Capture

- a) Only those persons who hold a valid sport fishing license or a valid Sportsmen's Combination License may take or attempt to take turtles and/or frogs (see [515 ILCS 5/20-5]).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- b) ~~Common snapping turtles (Chelydra serpentina)Turtles~~ may be taken only by hand, hook and line, ~~or bow and arrow (except in the counties listed in Section 880.60(b) where bowfishing for common snapping turtles is not allowed).~~ ~~The alligator snapping turtle (Macrochelys temminckii) is protected and may not be taken by any method, including, but not limited to, any sport fishing method, or landing net. For the purposes of this Part, a landing net is defined as a hand-held net with no greater than 1.5 inch bar measurement netting, an opening of not greater than 5 feet in diameter, and a handle.~~
- c) Bullfrogs ~~and common snapping turtles~~ may be taken only ~~between~~ June 15 ~~through~~and August 31, ~~both dates inclusive~~. Bullfrogs may be taken only by hook and line, gig, pitchfork, spear, bow and arrow, hand, ~~or~~ landing net.
- d) No person shall take ~~common snapping turtles or~~ bullfrogs by commercial fishing devices, including dip nets, hoop nets, traps or seines, or by the use of firearms, airguns or gas guns.
- e) No person shall take or possess any species of reptile or amphibian listed as endangered or threatened in Illinois (17 Ill. Adm. Code 1010), except as provided by 17 Ill. Adm. Code 1070.
- f) All other species of reptiles and amphibians may be captured by ~~hand~~~~any device or method which is not designed or intended to bring about the death or serious injury of the animals captured~~. This shall not restrict the use of legally taken reptiles or amphibians as bait by anglers.
- g) Any captured reptiles or amphibians ~~that~~~~which~~ are not to be retained in the possession of the captor shall be immediately released at the site of capture, ~~unless taken with a lethal method (such as bow and arrow, gig, spear or pitchfork) that does not permit "release with no harm". All common snapping turtles and bullfrogs taken by this method must be kept and counted in the daily catch creel or bag. No culling of these taken species is permitted.~~

(Source: Amended at 37 Ill. Reg. 6757, effective May 1, 2013)

Section 880.30 Daily Catch and Possession Limits

- a) The daily catch limit for ~~common snapping turtles~~~~reptiles~~ is ~~eight (8) of each~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

~~species~~ and for ~~bullfrogs~~ ~~amphibians~~ is ~~eight~~ (8) of each species. The possession limit for ~~common snapping turtles~~ ~~reptiles~~ is ~~4~~ ~~sixteen~~ (16) ~~of each species~~ and for ~~bullfrogs~~ ~~amphibians~~ is ~~sixteen~~ (16) ~~of each species~~.

- b) For indigenous Illinois amphibian and reptile taxa (excluding common snapping turtles and bullfrogs), the possession limit is 8 collectively with no more than 4 per taxa.

(Source: Amended at 37 Ill. Reg. 6757, effective May 1, 2013)

Section 880.60 Areas Closed to the Taking of Reptiles and Amphibians

- a) Unless otherwise allowed by statute or administrative rule, the taking of reptiles and amphibians at any time and by any method is prohibited in the following ~~area~~ areas: the LaRue-Pine Hills/Otter Pond Research Natural Area in Union County. The closed area shall include the Research Natural Area as designated by the U.S. Forest Service and the right-of-way of Forest Road 345 from the intersection of Forest Road 345 with Forest Road 236 to the intersection of Forest Road 345 with the Missouri Pacific railroad tracks.
- b) Bowfishing for common snapping turtles is not permitted in the following Illinois counties: Randolph, Perry, Franklin, Hamilton, White, Gallatin, Saline, Williamson, Jackson, Union, Johnson, Pope, Hardin, Massac, Pulaski and Alexander.

(Source: Amended at 37 Ill. Reg. 6757, effective May 1, 2013)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Boat and Snowmobile Registration and Safety
- 2) Code Citation: 17 Ill. Adm. Code 2010
- 3) Section Number: 2010.22 Adopted Action:
New Section
- 4) Statutory Authority: Implementing and authorized by Section 3-1, 3-1.5, 3-2, 3-3, 4-1 and 9-1 of the Boat Registration and Safety Act [625 ILCS 45/3-1, 3-2, 3-3, 4-1 and 9-1] and the Snowmobile Registration and Safety Act [625 ILCS 40]
- 5) Effective Date of Amendment: May 1, 2013
- 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 rulemaking, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 25 2013; 37 Ill. Reg. 684
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version:

In Section 2010.22(a)(6), "state" has been changed to "State".

In Section 2010.22 the following language has been added to "d)":

The fee for the Water Usage Stamp shall be that established by statute (see 625 ILCS 45/3-1.5). Any individual who purchases more than 3 Water Usage Stamps shall receive each subsequent stamp for ½ of the cost of the full price established by statute."

In Section 20.10.22, "d)" has been changed to "e)" and "full-priced" has been added after the word "new".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

agreements issued by JCAR? Yes

- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part has been amended to set guidelines for issuance/sale of Water Usage Stamps by methods prescribed in 17 Ill. Adm. Code 2520. It also prescribes what information is collected during the sale process, the expiration date of the permits and the procedures for replacement of lost or destroyed stamps.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Julia Lawrence, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER e: LAW ENFORCEMENTPART 2010
BOAT AND SNOWMOBILE REGISTRATION AND SAFETY

Section	
2010.10	Introduction (Repealed)
2010.20	Form of Application for Boat Registration and Title
2010.21	Application Requirements on Motorized Vehicles Titled by the Illinois Secretary of State
<u>2010.22</u>	<u>Water Usage Stamp Application for Non-powered Watercraft</u>
2010.25	Form of Application for Snowmobile Registration
2010.30	Numbering Pattern to be Used for Boat Registration
2010.35	Numbering Pattern to be Used for Snowmobile Registration
2010.40	Display of Number on Boats
2010.50	Change of Address (Repealed)
2010.60	Reports in Case of Accident
2010.70	Statutory Authority (Repealed)
2010.80	Renewals for Boat and Snowmobile Registration
2010.82	Trail Use Stickers
2010.85	Mandatory Liability Insurance
2010.90	Authorized Dealers
2010.95	Penalties for Convictions

AUTHORITY: Implementing and authorized by Sections 3-1, 3-1.5, 3-2, 3-3, 4-1 and 9-1 of the Boat Registration and Safety Act [625 ILCS 45/3-1, 3-1.5, 3-2, 3-3, 4-1 and 9-1] and the Snowmobile Registration and Safety Act [625 ILCS 40].

SOURCE: Filed January 13, 1960; codified at 5 Ill. Reg. 10660; amended at 8 Ill. Reg. 7801, effective May 23, 1984; amended at 10 Ill. Reg. 9769, effective May 21, 1986; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 21 Ill. Reg. 9028, effective June 26, 1997; amended at 21 Ill. Reg. 15235, effective November 17, 1997; amended at 22 Ill. Reg. 14759, effective August 3, 1998; amended at 26 Ill. Reg. 8142, effective May 17, 2002; amended at 35 Ill. Reg. 10764, effective June 23, 2011; amended at 37 Ill. Reg. 6762, effective May 1, 2013.

[Section 2010.22 Water Usage Stamp Application for Non-powered Watercraft](#)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- a) Any person using a non-powered watercraft on the waters of this State shall apply for a valid Water Usage Stamp through an electronic application system. The electronic application shall include the following information unless listed as optional:
- 1) Name and address of purchaser.
 - 2) Date of birth of purchaser.
 - 3) Social Security Number or DNR Customer Number.
 - 4) Watercraft Hull Identification Number (optional).
 - 5) Make, model and color of watercraft.
 - 6) Previous State registration number (optional).
- b) The Department may designate vendors to sell Water Usage Stamps in accordance with 17 Ill. Adm. Code 2520.
- c) Water Usage Stamps shall bear the calendar year the stamp is in effect and shall expire December 31 of that calendar year.
- d) The fee for the Water Usage Stamp shall be that established by statute (see 625 ILCS 45/3-1.5). Any individual who purchases more than 3 Water Usage Stamps shall receive each subsequent stamp for ½ of the cost of the full price established by statute.
- e) If a Water Usage Stamp is lost, destroyed or mutilated beyond legibility, a new full-priced Water Usage Stamp shall be required before the non-powered watercraft is used on the waters of this State.

(Source: Added at 37 Ill. Reg. 6762, effective May 1, 2013)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

issuance fees by vendors issuing/selling Water Usage Stamps and OHV Trail Permits.

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

Julia Lawrence, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER f: ADMINISTRATIVE SERVICESPART 2520
SELLING AND CONSIGNMENT OF LICENSES, STAMPS AND PERMITS

Section

2520.10	Agents – Sale and Consignment Requirements
2520.20	Issuing Licenses, Stamps and Permits
2520.30	Terms
2520.40	Credit to Agent Accounts
2520.50	Issuance of Replacement Hunting, Fishing and Trapping Licenses, Stamps and Permits
2520.60	Vendor – Sale of Licenses by Telephone or Electronic Transmission

AUTHORITY: Implementing and authorized by Sections 1.4, 3.1, 3.2, 3.37, 3.38 and 3.39 of the Wildlife Code [520 ILCS 5/1.4, 3.1, 3.2, 3.37, 3.38 and 3.39] and Sections 1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120 of the Fish and Aquatic Life Code [515 ILCS 5/1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120], Section 26 of the Recreational Trails Act of Illinois [20 ILCS 862/26] and Section 3-1.5 of the Boat Registration and Safety Act [625 ILCS 45/3-1.5].

SOURCE: Adopted and codified at 7 Ill. Reg. 8760, effective July 15, 1983; amended at 8 Ill. Reg. 5660, effective April 16, 1984; amended at 9 Ill. Reg. 14626, effective September 17, 1985; amended at 11 Ill. Reg. 4633, effective March 10, 1987; amended at 15 Ill. Reg. 7653, effective May 7, 1991; amended at 16 Ill. Reg. 8479, effective May 26, 1992; amended at 18 Ill. Reg. 9991, effective June 21, 1994; amended at 19 Ill. Reg. 7541, effective May 26, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 14417, effective October 25, 1996; amended at 21 Ill. Reg. 6483, effective May 19, 1997; amended at 22 Ill. Reg. 10466, effective June 1, 1998; amended at 23 Ill. Reg. 6818, effective May 20, 1999; amended at 24 Ill. Reg. 1641, effective January 13, 2000; amended at 25 Ill. Reg. 9024, effective July 3, 2001; amended at 25 Ill. Reg. 11360, effective August 14, 2001; amended at 33 Ill. Reg. 15742, effective November 2, 2009; amended at 37 Ill. Reg. 6766, effective May 1, 2013.

Section 2520.10 Agents – Sale and Consignment Requirements

- a) The Department of Natural Resources (DNR) has the authority to designate agents to sell licenses, stamps and permits on behalf of DNR. DNR also has the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

authority to consign licenses, stamps and permits, for sale by county, city, village, township and incorporated town clerks, upon receipt of their completed application and elected official license agent contract, and fulfillment of requirements set forth in this Part. DNR also consigns licenses, stamps and permits to other agents upon receipt of their completed application, license agent contract, evidence of financial responsibility, and fulfillment of the requirements set forth in this Part. The term agent means all persons authorized by DNR to sell licenses, stamps and permits, other than elected or appointed officials and DNR employees. License agents, including employees of DNR selling licenses, stamps and permits, shall collect an issuing fee in addition to the license, stamp and permit fee as provided in 515 ILCS 5/20-120, ~~and 520 ILCS 5/3.37~~, 20 ILCS 862/26 and 625 ILCS 45/3-1.5 as follows: 75 cents for each Sportsmen's Combination license and non-resident hunting license, and 50 cents for all other licenses, stamps and permits authorized by the above statutes. All licenses, stamps and permits consigned and fees collected from the sale of licenses, stamps and permits (except the authorized issuing fee) remain the property of the State of Illinois. Funds received from the sale of licenses, stamps and permits (except the authorized issuing fee) shall not be directed to any purpose other than remittance to DNR.

- b) County, city, village, township and incorporated town clerks may appoint sub-agents within the territorial area for which they are elected or appointed. Elected or appointed officials and DNR employees selling licenses, stamps and permits are liable to the State for all licenses, stamps and permits consigned to their account, including any licenses, stamps and permits furnished by a clerk to any sub-agent. Any clerk appointing sub-agents must notify DNR, within 10 days following the appointment, the names and mailing addresses of such sub-agents. No part of the issuing fees collected may be retained as personal compensation by the clerk. Issuing fees may be divided between the clerk and appointed sub-agents other than employees of the clerk's office, but in no case may any clerk and/or sub-agent charge an issuing fee or fees totaling more than the amounts set out in subsection (a) of this Section. DNR assumes no liability for any license, stamp or permit furnished by any elected or appointed clerk to any sub-agent.
- c) **Financial Responsibility of Agents**
All agents, including concessionaires holding contracts with DNR, shall be required to furnish DNR with evidence of financial responsibility.
- 1) **Agents Without Preferred Status**

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Except as provided in subsection (c)(2), the evidence of financial responsibility shall be in the form of a surety bond, letter of credit or certificate of deposit, in an amount equal to the value of licenses, stamps and permits consigned.

- 2) Agents with Preferred Status
 - A) Agents must meet the following qualifications to receive a preferred status:
 - i) The agent must sell licenses, stamps and permits for one complete license year.
 - ii) DNR must have received a minimum of 9 monthly current license year remittances or no sales reports between April and December (inclusive).
 - B) If the qualifications listed in subsection (c)(2)(A) are met, the agent's consignments may total 50% over the amount of his or her financial evidence. All agents with a preferred status will be reviewed annually. If qualifications have been met, the preferred status will continue for the following license year. If the qualifications have not been met, the preferred status is removed and the agent will be consigned licenses, stamps and permits equal to the amount of financial evidence.
- 3) Evidence of Financial Responsibility

Surety bonds and letters of credit shall be on a form furnished by and approved by DNR, with surety or sureties satisfactory to DNR, conditioned upon the agent paying to the State of Illinois all monies becoming due by reason of the sale of licenses, stamps and permits.
- 4) Sub-Agents

No agent may appoint sub-agents.
- d) Agents, other than DNR staff, issuing gun permits for deer and turkey hunting during special hunts on non-DNR property, as defined in 17 Ill. Adm. Code 650.22(a) and 17 Ill. Adm. Code 660.22(a), shall complete a written financial guarantee and fulfill the requirements set forth in this Part. All permits consigned

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

and fees collected remain the property of the State of Illinois. Funds received from the sale of permits shall not be directed to any purpose other than remittance to DNR. Agents will not be consigned more than 100 permits of a specific type.

(Source: Amended at 37 Ill. Reg. 6766, effective May 1, 2013)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Procedure for Conducting Examinations of Persons Seeking Certificates of Competency
- 2) Code Citation: 62 Ill. Adm. Code 230
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
230.10	Amendment
230.20	New Section
230.30	New Section
- 4) Statutory Authority: Implementing and authorized by Article 2 and 3 of the Coal Mining Act [225 ILCS 705/Art. 2 and 3]
- 5) Effective Date of Amendments: May 1, 2013
- 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 all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 25, 2013; 37 Ill. Reg. 694
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version:

In Section 230.10, "Reperesentatives" has been corrected to "Representatives".

In Section 230.10(j), "either provided at the examination or" has been changed to "issued" and "mailed" has been stricken.

In Section 230.20(d), "to allow for the posting period" has been changed to ". A list of candidates passing the exam and receiving a Certificate of Competency will be posted at mines throughout the State during the 30 day posting period to permit filing objections concerning the qualifications of a candidate who is listed as receiving a Certificate of Competency. After the posting period is complete and no objection is filed, the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

candidate's Certificate of Competency will become permanent (see 225 ILCS 705-3.07)."

- 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 Part has been amended pursuant to the Department's Sustainability package legislation to provide procedures for the administration of the examinations associated with Certificates of Competency and include a fee structure for Certificates of Competency.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Julia Lawrence, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 62: MINING

CHAPTER I: DEPARTMENT OF ~~NATURAL RESOURCES~~ ~~MINES AND MINERALS~~

PART 230

PROCEDURE FOR ~~CONDUCTING HOLDING MINING BOARD~~ EXAMINATIONS OF PERSONS SEEKING CERTIFICATES OF COMPETENCY

Section

230.10	Procedure for Holding <u>Semi-Annual</u> Mining Board Examinations
<u>230.20</u>	<u>Procedure for Conducting Examinations Other Than the Semi-Annual Mining Board Examinations</u>
<u>230.30</u>	<u>Fees for Certificates of Competency</u>

AUTHORITY: Implementing and authorized by Article 2 and 3 of the Coal Mining Act [225 ILCS 705/Art. 2 and 3].

SOURCE: Filed and effective June 17, 1958; codified at 7 Ill. Reg. 9305; amended at 37 Ill. Reg. 6772, effective May 1, 2013.

Section 230.10 Procedure for Holding Semi-Annual Mining Board Examinations

- a) ~~Candidates~~ It is the order of the Board that candidates seeking Certificates of Competency as State Mine Inspectors, Mine Managers, Hoisting Engineers, and Mine Examiners shall complete and submit a notarized ~~their~~ application to the Department of Natural Resources, Office of Mines and Minerals at least 30 days prior ~~blanks previous~~ to the date of the examination. ~~A, and a~~ card or letter will be sent to each candidate ~~that~~ which will be his or her admittance to the examination room. All candidates ~~shall~~ will be at the place set for the examination to present their cards or letters and receive their examination papers ~~prior~~ previous to ~~8:309:00~~ 8:30:00 a.m. on the day of the examination. The doors of the examination room ~~will~~ shall be opened at ~~8:308:00~~ 8:30:00 a.m.
- b) Pre-numbered examination booklets, answer sheets and blank mine maps for answering the questions shall be distributed at the time of the examination. The candidates will be instructed to place on their entrance card or letter the same number that is shown on their examination ~~answer~~ booklet. ~~Candidates~~ They will be identified by this number throughout the examination.
- c) Following ~~The question sheets will also be distributed at this time and any further~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

~~preliminary~~ instructions ~~provided will be given~~ by a representative of the Department, applicants will be allowed to begin the written examination.

- d) ~~Representatives~~ There shall be representatives of the Department will supervisesupervising the class during the examination and will be available for assistance in interpretation of questions.
- e) ~~After~~As the candidates have completedcomplete the written and map portionspart of the examination, these portions~~their paper~~ will be given to qualified representatives of the Department for grading. When these portionspapers are graded, the candidates will be called for the oral section of the examination by the number on the examination booklet.
- f) The ~~number of questions, number of parts, and the value per question on the written portionpart~~ of the examination shall consist of two parts: true/false and multiple choice for each group shall be approximately as follows:

1) Coal Mines	No. of Questions	Parts	Value per Question
State Mine Inspector	20	2	2
Mine Manager, 1 st Class	20	2	5
Mine Manager, 2 nd Class	10	1	10
Mine Examiner	15	1	6 ^{-2/3}
Elec. Hoisting Engineer	15	1	6 ^{-2/3}
Steam Hoisting Engineer	15	1	6 ^{-2/3}

2) Metal Mines	No. of Questions	Parts	Value per Question
Inspector	12	1	8 ^{-1/3}
Foreman	10	1	10
Elec. Hoisting Engineer	10	1	10
Steam Hoisting Engineer	10	1	10

- g) A numeric increase in a candidate's total score could result from the oral examination. A numerical grade shall be given for the oral section of the examination for State Inspector of Coal Mines in as much as this is a competitive examination. It will not be necessary to give a numerical grade for the oral section of the other groups, merely a grade of "passed" or "failed," taking into consideration the grade made on the written section.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- h) Applicants for State Mine Inspector and Mine Manager must score a minimum of 80% on the written examination for a passing grade. Applicants for all other Certificates of Competency must score a minimum of 75% on the written examination for a passing grade. Normally a grade of 70 per cent or better on the written section shall be considered passing, except in the case of State Inspector of Coal Mines, but may vary either way at the discretion of the Mining Board after taking into consideration the quality of the oral section.
- i) A pass/fail shall be given for the mine map portion of the examination. A minimum total grade of 70 per cent shall be required for a passing grade on the examination for State Inspector of Coal Mines.
- j) Grades will not be divulged to the candidates at the time of the examination. A letter will be sent to those who did not attain a passing grade~~pass notifying them~~. Certificates of Competency will be issued~~mailed~~ to those who pass. These letters and certificates will be provided~~mailed-out~~ at the earliest possible practicable date.
- k) A candidate will not be permitted to take examinations for separate Certificates of Competency during one class if those examinations are given on the same date, except that the Electrical Hoisting Engineer examination may be taken on the same date as another Certificate of Competency examination.
- l) The examination for the Shot Firer Certificate of Competency is semi-annual, but is conducted following the completion of a mandatory class. Candidates for Shot Firer Certificate of Competency are not held to the 30 day application submittal requirements. An applicant cannot take the examination unless his or her application is signed by the class instructor stating the applicant has taken the mandatory class.

(Source: Amended at 37 Ill. Reg. 6772, effective May 1, 2013)

Section 230.20 Procedure for Conducting Examinations Other than the Semi-Annual Mining Board Examinations

- a) Candidates seeking Certificates of Competency as Surface Mine Supervisor, General Surface Supervisor, Independent Contractor Supervisor, Shaft-Slope Examiner and Shaft-Slope Supervisor can take an examination administered by

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

the Department at times other than at the semi-annual Mining Board Examinations.

- b) Candidates shall obtain from the Department an application and must meet the eligibility requirements for the Certificate of Competency.
- c) Candidates shall schedule to attend a class conducted by Department personnel prior to taking the examination. The class and examination can be conducted on the same day. Classes are optional and a candidate may take the examination without class attendance.
- d) A Certificate of Competency is considered temporary for 30 days following an examination. A list of candidates passing the exam and receiving a Certificate of Competency will be posted at mines throughout the State during the 30 day posting period to permit filing objections concerning the qualifications of a candidate who is listed as receiving a Certificate of Competency. After the posting period is complete and no objection is filed, the candidate's Certificate of Competency will become permanent (see 225 ILCS 705-3.07).

(Source: Added at 37 Ill. Reg. 6772, effective May 1, 2013)

Section 230.30 Fees for Certificates of Competency

The following fees shall be paid to the Department for administration of certificate examinations and are non-refundable.

- a) Applicants shall submit, along with the application, the following fee for each examination.

<u>Certificate of Competency</u>	<u>Fee</u>
<u>State Mine Inspector</u>	<u>\$50</u>
<u>Mine Manager</u>	<u>\$50</u>
<u>Mine Examiner</u>	<u>\$50</u>
<u>Electrical Hoisting Engineer</u>	<u>\$50</u>
<u>General Surface Supervisor</u>	<u>\$50</u>
<u>Independent Contractor Supervisor</u>	<u>\$50</u>
<u>Shaft-Slope Supervisor</u>	<u>\$50</u>
<u>Shaft-Slope Examiner</u>	<u>\$50</u>

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

<u>Surface Mine Supervisor</u>	<u>\$50</u>
<u>Shot Firer</u>	<u>\$50</u>
<u>First Class</u>	<u>\$50</u>
<u>Shaft-Slope Worker</u>	<u>\$50</u>
<u>Crane Hoist Operator</u>	<u>\$50</u>

b) The fee for a temporary Certificate of Competency is \$50.

(Source: Added at 37 Ill. Reg. 6772, effective May 1, 2013)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Surface Mined Land Conservation and Reclamation Act
- 2) Code Citation: 62 Ill. Adm. Code 300
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
300.30	Amendment
300.238	Amendment
- 4) Statutory Authority: Implementing and authorized by the Surface Mined Land Conservation and Reclamation Act [225 ILCS 715]
- 5) Effective Date of Amendments: May 1, 2013
- 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 rulemaking, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 25, 2013; 37 Ill. Reg. 701
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary
- 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 Part has been amended pursuant to the Department's Sustainability package legislation to increase the permit fee, blaster's license application fee, blaster's license reexamination fee, blaster's license renewal fee, and temporary blaster's license fee.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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

Julia Lawrence, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 62: MINING

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

PART 300

SURFACE MINED LAND CONSERVATION AND RECLAMATION ACT

SUBPART A: SURFACE MINED LAND CONSERVATION AND RECLAMATION ACT

Section	
300.10	Introduction
300.20	Permits
300.30	Fees
300.40	Bonds
300.50	Permit Application Requirements
300.60	Role of County Government in Reclamation
300.70	Departmental Consideration of Reclamation Plans
300.80	Public Filing of Approved Plans
300.90	Amendments to Permits
300.95	Transfer of Permits
300.100	Reclamation Planning
300.110	General Reclamation Requirements
300.120	Criteria For Types of Land Reclamation
300.130	Reclamation of Gob Disposal Areas and Outside Slopes of All Overburden Deposition Areas
300.140	Reclamation of Slurry Pond Disposal Areas
300.150	Water Impoundment Structures
300.160	Affected Acreage Map
300.170	Violations and Forfeiture
300.180	Bond Release Procedure

SUBPART B: USE OF EXPLOSIVES IN NON-COAL
MINERAL EXTRACTION OPERATIONS

Section	
300.200	Scope of this Subpart
300.205	Purpose
300.210	Definitions Applicable to Subpart B
300.215	General Requirements
300.220	Monitoring

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 300.225 Use of Explosives; Control of Adverse Effects
- 300.230 Use of Explosives; Blasting Signs, Warnings and Access Control
- 300.235 Training
- 300.236 Examination
- 300.237 Application and Licensure
- 300.238 Fees
- 300.239 Denial, Issuance of Notice of Infraction, Suspension, Revocation and Other Administrative Actions
- 300.245 Notices of Violation
- 300.246 Cessation Orders
- 300.247 Office of Mines and Minerals Decision
- 300.248 Hearings
- 300.249 Temporary Relief
- 300.250 Subpoenas

300.ILLUSTRATION A Tree Sampling Procedure

300.ILLUSTRATION B Typical Sections

AUTHORITY: Implementing and authorized by the Surface Mined Land Conservation and Reclamation Act [225 ILCS 715].

SOURCE: Adopted January 6, 1976; codified at 8 Ill. Reg. 4507; amended at 14 Ill. Reg. 3548, effective February 22, 1990; amended at 20 Ill. Reg. 9546, effective July 1, 1996; recodified from the Department of Mines and Minerals to the Department of Natural Resources at 21 Ill. Reg. 16192; amended at 22 Ill. Reg. 8407, effective April 28, 1998; amended at 23 Ill. Reg. 11231, effective August 26, 1999; amended at 26 Ill. Reg. 4372, effective March 11, 2002; amended at 37 Ill. Reg. 6779, effective May 1, 2013.

SUBPART A: SURFACE MINED LAND CONSERVATION AND RECLAMATION ACT**Section 300.30 Fees**

a) Fees Generally

Each application for a permit shall require a separate fee payment. Permit fees are not to accompany the application. After receipt of the application, the Department will request the permit fee before issuance of the permit. The fee shall be in the form of a check made payable to the Illinois Department of Natural Resources, Office of Mines and Minerals, ~~State of Illinois~~.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

b) Permit Fee Calculation

1) Surface Mining Permit

The fee for a surface mining permit shall be ~~\$150~~~~\$100~~ for every acre and fraction of an acre of land to be permitted. The permit fee shall only be paid once on an acre of land regardless of the number of permit periods it is mined, but, with respect to areas where the overburden is to be removed again and upon which the surety bonds have been released, a new permit, fees, and bond will be required.

2) Refuse Disposal Permits

The fee for a gob refuse disposal permit and for a slurry pond refuse disposal permit shall be calculated in the same manner as the fee to engage in surface mining. The permit fee shall only be paid once on an acre of land regardless of the active life of a disposal area.

(Source: Amended at 37 Ill. Reg. 6779, effective May 1, 2013)

SUBPART B: USE OF EXPLOSIVES IN NON-COAL
MINERAL EXTRACTION OPERATIONS**Section 300.238 Fees**

The following fees shall be paid to the Department for administration of the Act and are non-refundable. The fees submitted shall be in the form of a cashier's check or money order ~~and~~ made payable to the Illinois Department of Natural Resources, Office of Mines and Minerals.

- a) The fee for an application is ~~\$150~~~~\$75.00~~.
- b) The fee for reexamination of an applicant is ~~\$50~~~~\$25.00~~.
- c) The renewal fee for a license is ~~\$150~~~~\$75.00~~.
- d) The fee for a temporary license is ~~\$150~~~~\$75.00~~.

(Source: Amended at 37 Ill. Reg. 6779, effective May 1, 2013)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Laboratory Service Fees
- 2) Code Citation: 77 Ill. Adm. Code 475
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
475.10	Amended
475.12	New
475.15	Amended
475.20	Amended
475.30	Amended
475.50	Amended
- 4) Statutory Authority: Section 2310-90 of the Civil Administrative Code of Illinois [20 ILCS 2310/2310-90]
- 5) Effective Date of Amendments: May 6, 2013
- 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 Proposed Amendments Published in Illinois Register: 37 Ill. Reg. 508; January 18, 2013
- 10) Has JCAR issued a Statement of Objection to these rulemakings? No
- 11) Differences between Proposal and Final Version: The following changes were made in response to comments and suggestions of JCAR:

In Section 475.20, "laboratory" was deleted and "Laboratory" was reinstated.

Section 475.25 was removed from the rulemaking.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 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: The Department of Public Health laboratories provide testing to support the Department's programs. The Department's laboratories provide these same tests to public health clinics or community based organizations if funding can be obtained and if the surveillance data that would be created is of value to the Department's programs. The use of the Department's laboratories for testing is voluntary. The amendments include updates to definitions, the addition of a "Referenced Materials" Section, and updates to Sections concerning applicability of the rules, submission of samples of specimens, statement of fee assessment, and failure to submit payment. The amendments increase the fee for returned checks or insufficient payment from \$10 to \$35 to cover processing costs.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Susan Meister
Division of Legal Services
Department of Public Health
535 West Jefferson, 5th Floor
Springfield, Illinois 62761

271/782-2043
e-mail: dph.rules@illinois.gov

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

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER d: LABORATORIES AND BLOOD BANKSPART 475
LABORATORY SERVICE FEES

Section

475.10	Definitions
<u>475.12</u>	<u>Referenced Materials</u>
475.15	Applicability
475.20	Submission of Samples or Specimens
475.25	Fee Schedule
475.30	Statement of Fee Assessment
475.40	Payment of Fees
475.50	Failure <u>to Submit</u> Payment

AUTHORITY: Implementing and authorized by Section 2310-90 of the Civil Administrative Code of Illinois [20 ILCS 2310/2310-90].

SOURCE: Adopted and codified at 7 Ill. Reg. 1988, effective January 27, 1983; emergency amendment at 18 Ill. Reg. 15887, effective October 12, 1994, for a maximum of 150 days; emergency expired on March 10, 1995; amended at 20 Ill. Reg. 6958, effective May 5, 1996; amended at 37 Ill. Reg. 6784, effective May 6, 2013.

Section 475.10 Definitions

~~As used in this Part, the terms specified below shall have the meanings ascribed to them in this Part.~~

"Department" means the Department of Public Health.

"Director" means the Director of the Department of Public Health.

"Laboratory" means the Division of Laboratories of the Illinois Department of Public Health, including its Chicago, Springfield and Carbondale Laboratories, and any other site designated by contract to perform Department Laboratory services.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

~~"Non-Community Public Water Supply" means a public water system which is not a community water system, and has at least 15 service connections used by nonresidents, or regularly serves 25 or more nonresident individuals daily for at least 60 days per year. Water vending machines are considered non-community public water supplies.~~

~~"Non-Transient Non-Community Public Water Supply" means a non-community public water supply that regularly serves the same 25 or more persons at least 6 months per year.~~

"Person" means:

the State, its agencies and departments, and its officers and employees ~~thereof~~;

any local health department ~~or school district~~, and its officers and employees ~~thereof~~;

~~any entity served by a non-community public water supply, and officers and employees thereof;~~

any grantee or contractor of the Department that agrees to provide services to the Department, or on behalf of the Department, and officers and employees of ~~such~~ a grantee or contractor.

(Source: Amended at 37 Ill. Reg. 6784, effective May 6, 2013)

Section 475.12 Referenced Materials

The following Illinois statutes and administrative rules are referenced in this Part:

- a) Civil Administrative Code of Illinois [20 ILCS 2310]
- b) Newborn Metabolic Screening and Treatment Code (77 Ill. Adm. Code 661)
- c) Lead Poisoning Prevention Code (77 Ill. Adm. Code 845)

(Source: Added at 37 Ill. Reg. 6784, effective May 6, 2013)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

Section 475.15 Applicability

- a) This Part is applicable only to diagnostic laboratory tests ~~listed in Section 475.25, (Fee Schedule)~~. This Part does not apply to reference laboratory tests performed ~~free of charge~~ ~~free of charge~~ by the Department, or to other laboratory analyses ~~historically performed~~ ~~free of charge~~ ~~free of charge~~ for either the Department or local health departments.
- b) This Part is not applicable to the Department's ~~Laboratory~~ ~~laboratory~~ screening of newborns for metabolic diseases under the "Newborn Metabolic Screening and Treatment Code" ~~(77 Ill. Adm. Code 661)~~ or ~~to~~ screening of children for elevated blood lead levels under the "Lead Poisoning Prevention Code" ~~(77 Ill. Adm. Code 845)~~. The fees established in this Part are in addition to other ~~Laboratory~~ ~~laboratory~~ fees established under separate statutory authority for two specific purposes: screening newborns for metabolic diseases under the "Newborn Metabolic Screening and Treatment Code" ~~(77 Ill. Adm. Code 661)~~; and screening children for elevated blood lead levels under the "Lead Poisoning Prevention Code" ~~(77 Ill. Adm. Code 845)~~.

(Source: Amended at 37 Ill. Reg. 6784, effective May 6, 2013)

Section 475.20 Submission of Samples or Specimens

Each sample or specimen submitted to the Laboratory for any analysis ~~shall~~ ~~must~~ be delivered or shipped in a container and manner to preserve the sample/specimen from contamination or destruction and ~~to~~ allow it to reach the Laboratory in a condition that permits a reliable laboratory analysis.

- a) ~~The~~ ~~It is the responsibility of the~~ person submitting the sample/specimen ~~shall~~ ~~to~~ deliver it to the Laboratory or ~~to~~ send it in a package approved by the U.S. Postal Service, or another commercial carrier ~~to be used,~~ for ~~such~~ shipping. Any sample/specimen that is submitted in a package that violates the U.S. Postal Service's guidelines (or another commercial carrier's guidelines if an alternative carrier is used), is damaged in transit, is not received within the prescribed time frame for analysis, or is otherwise received in a condition that does not permit a reliable laboratory analysis, will be discarded. When this occurs, the laboratory result will be reported as ~~indeterminate~~ ~~indeterminant~~ or unsatisfactory, and the submitter will be notified so that another sample/specimen can be collected and submitted for analysis.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- b) For those laboratory services offered, the Laboratory ~~will~~shall provide, upon request, sample/specimen collection materials or devices and mailing containers that meet the U.S. Postal Service regulations.
- c) Prior to delivering or shipping any sample/specimen to the Laboratory, ~~it is the responsibility of~~ the person submitting the sample/specimen ~~shall~~to confirm with the Laboratory the availability of the desired laboratory service/analysis ~~and;~~to identify which Laboratory ~~site or sites~~site(s) (e.g., Chicago, Springfield, Carbondale or a contract laboratory site) will perform the desired service/analysis ~~;~~and to determine to which site the sample/specimen should be submitted. ~~Samples~~Sample/specimens shall be delivered or sent only to a specific Laboratory site designated as performing the requested laboratory service or to an alternative site agreed to in advance.
- d) ~~The~~It is the responsibility of the person submitting the sample/specimen ~~shall~~to pay for the postage or transport fee of the package unless alternative arrangements are made with the Laboratory in advance of mailing or shipping a sample/specimen to the Laboratory.

(Source: Amended at 37 Ill. Reg. 6784, effective May 6, 2013)

Section 475.30 Statement of Fee Assessment

- a) Fees for ~~Laboratory~~laboratory analyses shall be paid prior to services being provided, unless prior arrangements are made with the Department to bill the person submitting the sample/specimen.
- b) For persons with approval from the Department to submit samples/specimens without advance or accompanying payment, statements of fee assessment ~~will~~shall be mailed or otherwise delivered to persons submitting samples for analysis monthly or quarterly as determined by the Director, depending on the number of samples or other circumstances unique to the testing.
- c) Receipt of statements of fee assessment ~~will~~shall be presumed.

(Source: Amended at 37 Ill. Reg. 6784, effective May 6, 2013)

Section 475.50 Failure to Submit Payment

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- a) Unless prior arrangements have been made with the Department to bill the submitter for ~~Laboratory~~~~laboratory~~ services rendered, the Laboratory may refuse to accept or may discard any sample/specimen that is not accompanied by the required service fee.
- b) For local health departments and other persons approved to submit samples/specimens without advance or accompanying payment, failure ~~to~~ ~~submit~~~~of~~ full payment within two months ~~after~~~~of~~ assessment shall be grounds for the Department to refuse future samples/specimens.
- c) The fee for a dishonored negotiable instrument, including, but not limited to, returned checks or insufficient payment, ~~will~~~~shall~~ be ~~\$35~~~~\$10.00~~.

(Source: Amended at 37 Ill. Reg. 6784, effective May 6, 2013)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Minimum Safety Standards for Construction of Multifunction School Activity Buses
- 2) Code Citation: 92 Ill. Adm. Code 435
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
435.10	Amend
435.APPENDIX B	Amend
435.APPENDIX F	Amend
435.APPENDIX G	Amend
435.APPENDIX H	Amend
- 4) Statutory Authority: Implementing Article VIII of Chapter 12 of the Illinois Vehicle Code [625 ILCS 5/Ch. 12, Art. VIII] and the Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13] and Section 14-3(m) of the Criminal Code of 1961 [720 ILCS 5/14-3(m)] and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/12-812]
- 5) Effective Date of Rulemaking: May 3, 2013
- 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 incorporated by reference, is on file in the agency's Division of Traffic Safety and Office of Chief Counsel and is available for public inspection.
- 9) Notice of Proposal Published in *Illinois Register*: January 4, 2013; 37 Ill. Reg. 117
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Several grammatical corrections were made in agreement with JCAR.

Additionally, the following substantive changes were made in response to public comment:

At Section 435.Appendix F(a)(1)(A), the Department changed "9.91 cm" to "10.16 cm".

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

At Section 435.Appendix F(b), after "acceptable", the Department added "Two or more lamps or reflectors may be combined if the requirements for each lamp or reflector are met. However, no clearance lamp shall be combined with a tail lamp. (See 49 CFR 571.108-S6.3.)"

At Section 435.Appendix G(a), language has been changed to look like this:

- a) PEDALS (ACCELERATOR, SERVICE BRAKE, CLUTCH, EMERGENCY/PARKING BRAKE)

At Section 435.Appendix G(a), language has been changed to look like this:

Manufactured pedal extensions are allowed. They must be securely attached and covered with rigid nonslip material. Homemade pedal extensions are prohibited.

At Section 435.Appendix G(d), the following language has been added:

Two or more lamps or reflectors may be combined if the requirements for each lamp or reflector are met. (See 49 CFR 571.108-S6.3.)

At Section 435.Appendix G(g), the Department inserted "must not be mounted on the dash but" between "cutter" and "must".

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes, they were grammatical in nature.
- 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 the Rulemaking: The Department revised Section 435.10, Purpose, Scope and Implementation Date, by adding Multifunction School Activity Buses (MFSABs) owned and operated by private schools to the applicability of this Part since those vehicles are also regulated by the Department. The Department is authorized under 625 ILCS 5/1-182 and 11-1414.1 to regulate MFSABs owned and operated by private schools.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Throughout this rulemaking, the Department added the metric conversion in centimeters after the English measurement to correspond to the federal motor vehicle safety standards (FMVSS). The FMVSS provide both English and metric measurements.

At Section 435.Appendix B(d) the Department clarified that a child check system is not an optional item for MFSAB owners. At the owner's discretion, the system can either be a manual or an electronic/mechanical system. The Illinois Vehicle Equipment Law requires the Department to establish standards if the owner chooses to utilize an electronic/mechanical system but a completely manual system is also a viable option.

At Section 435.Appendix B(f)(1) and (7), provisions prescribing that the crossing control arm be wired to, and operate in conjunction with, the stop signal arm panel were replaced with provisions prescribing, instead, that the wiring and operation of the crossing control arm be in conjunction with the opening and closing of the service entrance door. MFSABs are prohibited from being equipped with a stop signal arm panel so the crossing control arm on an MFSAB must be wired to and operated in conjunction with the service entrance door.

At Section 435.Appendix B(g) the Department added a standard that requires the MFSAB dash to be free of all obstructions. This includes, but is not limited to, two-way radios, GPS systems, etc. The driver's view of the roadway must not be obstructed by anything installed on the dash.

At Section 435.Appendix F(a)(1)(B)(C) and (D), the Department added language for emergency exit lettering for consistency with 92 Ill. Adm. Code 436 (Inspection Procedures for MFSAB) and the FMVSS.

At Section 435.Appendix F(b) in Lights and at Section 435.Appendix G(d) in Reflectors, the Department added a provision from the Code of Federal Regulations that allows two or more lamps or reflectors to be combined if the requirements for each lamp or reflector are met. However, no clearance lamp shall be combined with a tail lamp.

At Section 435.Appendix F(b)(17), the Department clarified that, on larger MFSABs, front turn signal lamps may be located on the fender or cowl.

At Section 435.Appendix G(a), Pedals (Accelerator and Brake), the Department added a requirement prohibiting the use of homemade pedal extensions and will require pedal extensions to be manufactured specifically for that use. The Department has also

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

amended the subsection heading to include all pedal options (i.e., accelerator, service brake, clutch, and emergency/parking brake).

At Section 435. Appendix G(b)(2), the Department deleted the prohibition concerning book or luggage racks in MFSABs. The Federal Motor Vehicle Safety Standards (FMVSS) allow overhead storage racks to be installed in MFSABs and use of overhead storage racks in MFSABs is common practice in the industry. The Department will allow overhead storage racks provided they are padded when located within 59 inches (149.86 cm) from the floor.

At Section 435. Appendix G(c), the Department clarified that two-way radio speakers can be located within four feet of the driver's seat.

At Section 435. Appendix G(g), the Department added language that prohibits the webbing cutter from being located on the vehicle's dash.

At Section 435. Appendix H(a), the Department deleted the provision that requires a minimum height for passenger seats. Since October 21, 2009, the FMVSS require school bus passenger seats to measure 28 inches (71.12 cm) when measured from the seat cushion to the top of the seat back. The deleted language is no longer appropriate.

Throughout this rulemaking, the Department also made non-substantive corrections and amendments.

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

Ms. Catherine Allen
Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212

217/785-3031

By Messenger or Inter-Agency Mail:

IDOT/Division of Traffic Safety
1340 N. 9th Street
Springfield, Illinois 62702

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

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

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 435
MINIMUM SAFETY STANDARDS FOR CONSTRUCTION
OF MULTIFUNCTION SCHOOL ACTIVITY BUSES

Section

435.10	Purpose, Scope and Implementation Date
435.20	Incorporation by Reference of Federal Regulations
435.30	Definitions
435.APPENDIX A	Air Cleaner through Battery and Battery Compartment
435.APPENDIX B	Brakes through Drive Shaft
435.APPENDIX C	Electrical System Wiring through Filter, Oil
435.APPENDIX D	Fire Extinguisher through Fuel System
435.APPENDIX E	Grab Handles through Insulation
435.APPENDIX F	Lettering through Paint Requirements
435.APPENDIX G	Pedals through Seat, Driver's
435.APPENDIX H	Seats, Passenger through Storage Compartment (optional)
435.APPENDIX I	Sun Visor through Undercoating
435.APPENDIX J	Ventilation through Windshield Wipers

AUTHORITY: Implementing Article VIII of Chapter 12 of the Illinois Vehicle Code [625 ILCS 5/Ch.12, Art. VIII] and the Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13] and Section 14-3(m) of the Criminal Code of 1961 [720 ILCS 5/14-3(m)] and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/12-812].

SOURCE: Adopted at 36 Ill. Reg. 2924, effective February 10, 2012; amended at 37 Ill. Reg. 6791, effective May 3, 2013.

Section 435.10 Purpose, Scope and Implementation Date

This Part prescribes the requirements of the Illinois Department of Transportation (Department) governing the construction of multifunction school activity buses (MFSAB) that are manufactured on or after July 1, 2012. These standards are applicable to MFSAB that are owned or operated by, or for, [public](#) school districts, [private schools](#) or school [transportation bus](#) contractors.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 37 Ill. Reg. 6791, effective May 3, 2013)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Section 435.APPENDIX B Brakes through Drive Shaft

a) BRAKES

Every motor vehicle shall be equipped with two separate means of applying the brakes and they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes. (See Section 12-301(a) of the Illinois Vehicle Equipment Law.)

Emergency/parking brake system must apply brakes to at least two wheels. (See Section 12-301(a) of the Illinois Vehicle Equipment Law.)

AGENCY NOTE: Micro brakes are not considered a separate means of braking and are not acceptable.

Must be equipped with service brakes on all wheels. (See Section 12-301(a)(5) of the Illinois Vehicle Equipment Law.)

b) BUMPER, FRONT

Manufacturer's standards are acceptable. Black color is not required.

The entire front bumper must be of metal construction unless an energy absorbing bumper is used.

c) BUMPER, REAR

The rear bumper shall be channel-type cross section with the top edge at least 8.86 inches (22.5 cm)~~225 mm (8.9")~~ above the bottom edge. The bumper shall be formed from rolled steel at least .18 inch (.455 cm)~~4.55 mm (.18")~~ thick, and shall wrap around the rear corners of the body to a point at least 11.8 inches (30 cm)~~300 mm (11.8")~~ forward of the rearmost point of the body at floor line. The rear bumper shall be attached to the chassis frame with provisions for removal by means of commonly available hand tools and the prevention of hitching to or riding on. The rear bumper shall be of sufficient strength to permit the MFSAB~~bus~~ being pushed by another vehicle without permanent distortion.

d) CHILD CHECK SYSTEM ~~(optional)~~

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

If a mechanical or electronic child check system is installed, the system shall require that, when the driver turns off the vehicle's ignition system, the vehicle's interior lights must illuminate to assist the driver. (See Section 12-816 of the Illinois Vehicle Equipment Law.)

AGENCY NOTE: A manual child check system may be utilized by the MFSAB owner.

e) COMMUNICATION DEVICE

AGENCY NOTE: A communication device is required on each MFSAB while the driver is in possession of the MFSAB. The manufacturer may elect to install a two way radio at the time the MFSAB is manufactured; however, a communication device (i.e., two way radio or cellular radio telecommunication device) can also be installed by the owner after the MFSAB is purchased.

An MFSAB must contain either a cellular radio telecommunication device (i.e., cell phone) or an operating two-way radio while the MFSAB driver is in possession of the vehicle.

f) CROSSING CONTROL ARM

The crossing arm must meet the following:

- 1) Must be wired to the opening and closing of the service entrance door meet or exceed the wiring requirements of SAE J1133.
- 2) Must be capable of full operation between, and including, the temperatures -40° F and 160° F.
- 3) The arm, when activated, must extend a minimum of five feet from the front face of the bumper.
- 4) The arm must be mounted on the far right side (entry side) of the front bumper.
- 5) Appropriate brackets shall be used to attach the arm to the front bumper for proper operation and storage. The arm must stay at the same level as the front bumper and must not "dip" below the front bumper.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- 6) All component parts must meet or exceed any applicable federal motor vehicle safety standards in effect at the time of manufacture.
- 7) The arm must extend at the same time the service door opens~~stop arm panel extends~~. An independent "on/off" switch is prohibited.
- 8) If the driver can stop the arm from extending with the use of an optional override switch, the arm sequence must automatically reset once the service door is closed.
- 9) Red lights and/or red reflectors are prohibited.

g) DASH

The dash area below the windshield must be free of all obstructions. This includes, but is not limited to, two-way radios, GPS systems, pencil holders, decorations, or any other obstacle that may obstruct a school bus driver's field of view.

hg) DRIVE SHAFT GUARD

A suitable guard shall be provided for each segment of the drive shaft to prevent accident or injury if the shaft breaks or becomes disconnected.

(Source: Amended at 37 Ill. Reg. 6791, effective May 3, 2013)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Section 435.APPENDIX F Lettering through Paint Requirements

a) LETTERING

1) Exterior

The body and chassis manufacturer's name, emblem, or other identification may be displayed (colorless or any color) on any unglazed surface of the MFSABbus.

A vehicle identification number may be displayed on the exterior surface of the MFSABschool-bus roof.

A) Front

Vehicle number assigned for identification shall be a minimum of four inches (10.16 cm~~(100 mm)~~) high and located as high as practicable. Decals are permissible. (See Section 12-802 of the Illinois Vehicle Equipment Law.)

B) Left

The name of the owner or the entity for which the MFSAB is operated or both shall be painted in a contrasting color on both sides, centered as high as practicable below the window line, in letters at least four inches (10.16 cm)~~4 inches~~ high. (See Section 12-802**(b)** of the Illinois Vehicle Equipment Law.)

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door.

For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of, the emergency window exit in letters at least 1.95 inches (5 cm) high.

An arrow, at least 5.9 inches (14.99 cm) in length and $\frac{3}{4}$ inch (1.91 cm) in width, indicating the direction each release

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

mechanism should be turned to open the door or window must be located within 5.9 inches (14.99 cm) of the release handle.

Decals are permissible. All required lettering and labeling must be a color that contrasts with its background. (See 49 CFR 571.217.)

Optional: Vehicle number assigned for identification may be displayed at a minimum height of four inches (10.16 cm(100 mm)).

Decals are permissible.

C) Rear

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door.

For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of, the emergency window exit in letters at least 1.95 inches (5 cm) high.

An arrow, at least 5.9 inches (14.99 cm) in length and $\frac{3}{4}$ inch (1.91 cm) in width, indicating the direction each release mechanism should be turned to open the door or window must be located within 5.9 inches (14.99 cm) of the release handle.

Vehicle number assigned for identification shall be a minimum four inches (10.16 cm) high. Decals are permissible.

All required lettering and labeling must be a color that contrasts with its background. (See 49 CFR 571.217.)

~~"EMERGENCY DOOR" or "EMERGENCY EXIT" in lettering at least two inches high at top of emergency door, or directly above, or on door glazing.~~

~~"EMERGENCY EXIT" (for buses without rear emergency door) in letters at least two inches high directly below rear emergency~~

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

~~window or on-exit glazing. An arrow, at least 5.9 inches in length and $\frac{3}{4}$ inch in width indicating direction each release mechanism should be turned to open door or window located within 5.9 inches of release handle, in black. Vehicle number assigned for identification shall be a minimum 4 inches (100 mm) high. Decals are permissible. All required lettering must be a color that contrasts with its background.~~

If MFSABbus uses alternate fuel (e.g., propane, CNG), vehicle must be marked with identifying decal. The decal shall be diamond shaped with white or silver scotchlite letters one inch in height and a stroke of the brush at least $\frac{1}{4}$ inch (.64 cm) wide on a black background with a white or silver scotchlite border bearing either the words or letters:

"PROPANE" = If propelled by liquefied petroleum gas other than liquefied natural gas; or

"CNG" = If propelled by compressed natural gas. The sign or decal shall be maintained in good legible condition.

The alternate fuel decal shall be displayed near the rear bumper and visible from the rear of vehicle. (See Section 12-704.3 of the Illinois Vehicle Equipment Law.)

A white decal with black lettering and numerals that measure one inch (2.54 cm) high must be displayed on the rear of the MFSABbus. The decal must display either the words TO REPORT ERRATIC DRIVING or TO COMMENT ON MY DRIVING CALL followed by the area code and telephone number of the MFSABbus owner. The decal shall be located on the rear window glazing below the rear seat back, on the MFSABbus body below the window line, or on the rear bumper. The decal must be visible to the motoring public from the rear of the MFSABbus and cannot obstruct any required lettering or numerals. The decal cannot be located on any emergency door glazing or any emergency window glazing. Magnetic signs are prohibited. (See Section 12-821 of the Illinois Vehicle Equipment Law.)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Exception: The TO REPORT ERRATIC DRIVING or TO COMMENT ON MY DRIVING CALL decal may be applied by the MFSABschool bus owner after the MFSABschool bus is purchased.

D) Right

The name of the owner or the entity or both for which the MFSAB is operated shall be painted in a contrasting color on both sides, centered as high as practicable below the window line, in letters at least four inches (10.16 cm)~~4 inches~~ high. (See Section 12-802 of the Illinois Vehicle Equipment Law.)

The following lettering must be at least two inches (5.08 cm)~~(50 mm)~~ high:

- i) The word "CAPACITY", or abbreviation "CAP." plus numerals showing~~and the~~ rated passenger capacity followed by the word "PASSENGERS", or the abbreviation "PASS.", shall be displayed on the outside of the body near the rear edge of the service entrance.
- ii) Empty weight in pounds must be shown. Empty weight is indicated by "EW". (See Section 12-802 of the Illinois Vehicle Equipment Law.)

Manufacturer's identification name or emblem may be displayed, but not on service door glazing. Manufacturer's name or emblem must not interfere with required lettering. Decals are permissible.

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door.

For any emergency window exit "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of, the emergency window exit in letters at least 1.95 inches (5 cm) high.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

An arrow, at least 5.9 inches (14.99 cm) in length and $\frac{3}{4}$ inch (1.91 cm) in width, indicating the direction each release mechanism should be turned to open the door or window must be located within 5.9 inches (14.99 cm) of the release handle.

Decals are permissible. All required lettering and labeling must be a color that contrasts with its background. (See 49 CFR 571.217.)

Optional: If audio and/or visual recording devices are present on the MFSABbus, one white decal with black lettering measuring one inch (2.54 cm) high shall be displayed on the exterior of the service (i.e., entrance) door, or on the MFSABbus body adjacent to the service door if the door is not adequate to accommodate the decal. The decal shall serve as a notice of audio and/or visual recordings. The decal must not be located on any service door glazing. Magnetic signs are prohibited. (See Section 14-3(m) of the Illinois Criminal Code.)

2) Interior

A) Front

Each letter or numeral must be at least two inches (5.08 cm)(~~50 mm~~) high and contrasting sharply with its background. A colorless background strip (such as white, aluminum or silver) may be used. Decals are permitted.

On right side: Either "CAPACITY" or "CAP." plus numerals showing rated passenger capacity, followed by either "PASSENGER" or "PASS."

As nearly as practicable opposite the center of aisle, but to right of inside mirror, either "NO STANDEES" or "NO STANDEES PERMITTED".

The vehicle's length (rounded up to next whole foot) shall be displayed on the bulkhead clearly within the driver's view. (For example: vehicle length of 39.1 feet will be displayed as 40 feet.)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

A red cross formed of five equal squares with words "FIRST-AID KIT" shall be displayed on the compartment door, or cover, if the first-aid kit is to be carried in the locked compartment.

The words "FIRE EXTINGUISHER" shall be displayed on the compartment door, or cover, if the fire extinguisher is to be carried in the locked compartment.

Optional: If audio and/or visual recording devices are present on the MFSABbus, one white decal with black lettering measuring one inch (2.54 cm) high shall be displayed on the front interior bulkhead. The decal shall serve as a notice of audio and/or visual recordings. The decal must not obstruct any other required lettering on the bulkhead. Magnetic signs are prohibited. (See Section 14-3(m) of the Illinois Criminal Code.)

Optional: A "No Smoking" sign may be posted on the interior surface of an MFSABbus.

B) Left

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door.

For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high.

The labeling must be of a color that contrasts with its background.

Concise operating instructions describing the motions necessary to unlatch and open the exit must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the MFSABbus. These operating instructions shall be in letters at

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

C) Rear

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door.

For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high.

The labeling must be of a color that contrasts with its background.

Concise operating instructions describing the motions necessary to unlatch and open the door must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the MFSABbus. These operating instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

D) Right

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any side emergency door.

For any emergency window exit "EMERGENCY EXIT" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, or at the bottom of the emergency window exit.

The labeling must be of a color that contrasts with its background.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Concise operating instructions describing the motions necessary to unlatch and open the exit must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the MFSABbus. These instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

E) Ceiling

Roof exit must be labeled "EMERGENCY EXIT" in letters at least 1.95 inches (5 cm) high, of a color that contrasts with its background. The labeling must be located on an inside surface of the exit, or within 11.7 inches (30 cm) of the roof exit opening.

Concise operating instructions describing the motions necessary to unlatch and open the emergency exit shall be located within 5.85 inches (15 cm) of the release mechanism. These instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

b) LIGHTS

Light Emitting Diode (LED) lamps that meet applicable FMVSS or SAE Standards/Recommended Practices are acceptable. Two or more lamps or reflectors may be combined if the requirements for each lamp or reflector are met. However, no clearance lamp shall be combined with a tail lamp. (See 49 CFR 571.108-S6.3.)

1) Back Up

Two white lights shall be provided. Must meet federal standards (49 CFR 571.108).

2) Clearance, Front

Two clearance lights (amber) visible from the front at highest and widest portions of the body. Must conform to federal standards (49 CFR 571.108). May be combined with sidemarker lamp provided the requirements for both lights are met.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Exception: MFSAB Buses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

3) Clearance, Rear

Two clearance lights (red) mounted at highest and widest parts of body. Must conform to federal standards (49 CFR 571.108).

Exception: MFSAB Buses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

4) Identification, Front

Three amber lights mounted at center front near top of body. Must conform to federal standards (49 CFR 571.108).

Exception: MFSAB Buses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

5) Identification, Rear

Three red lights mounted at center rear near top of body. Must conform to federal standards (49 CFR 571.108).

Exception: MFSAB Buses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

6) Flashing Signal System (not applicable)

MFSAB cannot be equipped with a flashing signal system.

7) Headlights

Shall have at least two headlamps with at least one mounted on each side of the front of the MFSAB bus. Lamp body must be securely attached. Lenses, reflectors, bulbs, etc., must be in good condition, properly aimed and fill required intensity. Shall conform to federal standards (49 CFR 571.108).

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

8) Interior

Adequate light to illuminate aisles, step well, and emergency passageways.

9) License Plate

Adequate white light to illuminate license plate. (See 49 CFR 571.108.) May be combined with one of the tail lights.

10) Parking Lights

Shall be one lamp on each side; white or amber color. (See 49 CFR 571.108.)

All MFSABbuses 80 or more inches (203.2 cm) in overall width that are equipped with side marker lamps, clearance lamps, and intermediate side marker lamps are exempt from having parking lights. However, if the vehicle is equipped with parking lights, they must be operational. (See 49 CFR 571.108.)

11) Sidemarker, Left

Two lamps: one amber at front and one red at rear, mounted as high as practicable and located on the side of the MFSABbus. Shall conform to federal standards (49 CFR 571.108).

12) Sidemarker, Right

Two lamps: one amber at front and one red at rear, mounted as high as practicable and located on the side of the MFSABbus. Shall conform to federal standards (49 CFR 571.108).

13) Step Well

At least the nosings of the service entrance steps and the floor around the step well shall be automatically illuminated with white light when the ignition is on and the service entrance door is open.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

No lamp shall be installed so as to shine directly into the eyes of a pupil moving through the service entrance and looking at the service steps.

14) Stop

Two red lights mounted at same height and as high as practicable below window line. Seven inch (17.78 cm) minimum diameter or 19 square inches. Not less than 36 inches (91.44 cm)~~three feet~~ apart laterally. Must conform to federal standards (49 CFR 571.108).

15) Strobe

Lamp must comply with following requirements:

- A) One per MFSABbus;
- B) Shall emit white or bluish/white light;
- C) Shall be visible from any direction;
- D) Shall flash 60 to 120 times per minute;
- E) Shall be visible in normal sunlight;
- F) Mounted at or behind center of rooftop and equal distance from each side.

Distance from rear will be calculated by measuring height of filament (in inches) and multiplying same by 30 inches. (Filament height x 30 = distance from rear of MFSABbus where lamp is to be located.)

If a roof exit, air conditioner or the size of the MFSABbus interferes with the placement of a strobe as required in this subsection (b)(15)(F), the strobe can be placed to the rear of the roof exit or air conditioner as near as practicable above the rear axle, horizontally centered between the rear tires.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

16) Tail

Two red lights mounted with centers not less than 40 inches (101.6 cm) nor more than 50 inches (127 cm) from surface on which vehicle stands. Must conform to federal standards (49 CFR 571.108).

17) Turn Signal, Front

One amber lamp located on each side at or near the front, ~~including the fender or cowl~~. They shall be located at the same height and as far apart as practicable. Lamps must conform to federal standards (49 CFR 571.108). The lamps may be located on the fender or the cowl, if practicable.

18) Turn Signal, Rear

One red or amber lens on each side at the same height and as far apart as practicable below window. Must meet federal standard 49 CFR 571.108.

c) LOCKED COMPARTMENT (optional)

The fire extinguisher, first-aid kit, and/or warning devices may be stored either in a closed, unlocked compartment or under lock and key, provided the locking device is connected with an automatic warning signal that will alert driver when the compartment is locked. The automatic alarm shall be both audible and visible to the seated driver. The alarm shall alert the driver when the engine is running and the compartment is locked and cannot be readily opened without using a tool, key, or combination. An alarm cut-off or "squelch" control is prohibited.

Each safety item inside the compartment shall be named on the outside of the compartment cover or door. In addition, a RED CROSS formed of five equal squares shall be displayed on the cover when the first aid kit is inside the compartment.

d) MIRRORS

Every required mirror shall be of reflecting material protected from abrasion, scratching, and corrosion. Mirror shall be firmly installed on stable supports so as

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

to give a clear, stable, reflected view. Mirrors must meet all requirements of 49 CFR 571.111 to provide the required field of view.

Convex crossover mirrors can be combined with either the right or left side safety mirrors provided the convex mirror meets the field of view and size requirements of 49 CFR 571.111.

1) Exterior

A) Rear View Driving

Shall be mounted outside on the left and right sides of the MFSABbus. Must give seated driver a view to the rear along each side of the MFSABbus. Must be at least 50 square inches of usable flat rectangular reflecting surface on each side. (See 49 CFR 571.111.)

If the rear view driving mirror does not provide the required field of view, a convex driving mirror must be installed to expand the driving view to the rear. However, the usable flat reflecting surface must be rectangular and must maintain at least 50 square inches.

B) Right Side Safety

An outside convex mirror, either alone or in combination with the crossover mirror system, shall give the seated driver a view of the roadway along the right side of the MFSABbus between the most forward surface of the right front tire and the rear of the rear bumper. The projected reflecting surface of this convex mirror shall be at least 40 square inches ($7\frac{1}{8}$ inches (18.10 cm) diameter if a circle).

Extra-wide-angle convex mirror heads are permissible on right front corner only.

C) Left Side Safety (Optional)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

A convex mirror is required if the left rear view driving mirror system does not give the seated driver a reflected view of the roadway along the left side of the MFSABbus between the front edge of the driver's seat (in most forward position) and the rear of the rear bumper. The convex mirror shall be installed so that either alone or in combination with the rear view driving mirror gives the seated driver the proper view.

D) Crossover

An outside convex mirror shall give the seated driver a view of the front bumper and the area of roadway in front of the MFSABbus. The projected reflecting surface of this mirror shall be at least 40 square inches (7 $\frac{1}{8}$ inch (18.10 cm) diameter if a circle). (See 49 CFR 571.111.)

Exception: If the seated driver of a forward control MFSABbus has a direct view of the front bumper and the area of roadway in front of the MFSABbus, a crossover mirror is optional.

2) Interior

Must have a clear view safety glass mirror, metal backed and framed with rounded corners and edges that shall be padded. Shall afford a good view of the interior and roadway to the rear.

e) PAINT REQUIREMENTS

The exterior of any MFSAB can be any color except national school bus glossy yellow.

Each opening for a required emergency exit must be outlined around its outside perimeter with a minimum one+ inch (2.54 cm) wide retroreflective tape, including roof exits. The retroreflective tape must be on the exterior surface of the MFSABbus. Required retroreflective tape can be located on the rear bumper or the rub rail, provided the space under the emergency exit door or emergency exit window is not adequate to accommodate the tape or provided rivets are present that prohibit the tape from being applied properly. (See 49 CFR 571.217.)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 37 Ill. Reg. 6791, effective May 3, 2013)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Section 435.APPENDIX G Pedals through Seat, Driver's

- a) PEDALS (ACCELERATOR, SERVICE BRAKE, CLUTCH, EMERGENCY/PARKING BRAKE-AND BRAKE)

Minimum 1½ inches (3.81 cm)~~inch~~ clearance with pedal fully depressed. All pedals must be covered with rigid nonslip material.

Manufactured pedal~~Pedal~~ extensions are allowed. They must be securely attached and covered with rigid nonslip material. Homemade pedal extensions are prohibited.

- b) PROJECTIONS

- 1) Exterior

Entire rear and bumper area of MFSABbus must be nonhitchable.

AGENCY NOTE: "Nonhitchable" is defined as the rear of the MFSABbus being designed and maintained to prevent or discourage riding or grasping rear of MFSABbus so as to "hitch" rides.

- 2) Interior

Interior shall be free of all dangerous projections.

Optional equipment (e.g., video camera) that is located in the bulkhead area of the MFSABbus and not flush with the interior walls must meet the following requirements:

- A) Must not interfere with occupants entering or exiting the MFSABbus.
- B) Must not be located in driver's head impact zone.
- C) Must not obstruct required lettering.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Additional projections (e.g., external speakers, air conditioners, overhead storage racks) located within 59 inches (149.86 cm) from the floor shall be padded to prevent injury. This includes inner lining of ceiling and walls.

~~Installation of book or luggage racks is not permissible.~~

Flush mounted speakers are exempt from padding requirements.

c) RADIO SPEAKERS

Radio/stereo speakers cannot be located within four feet of the rearmost position of the driver's seat.

Exception: Two way radio speakers are exempt.

d) REFLECTORS

Two or more lamps or reflectors may be combined if the requirements for each lamp or reflector are met. (See 49 CFR 571.108-S6.3.)

1) Front

Two yellow or amber rigid or sheet type (tape) reflex reflectors shall be securely attached on the front of the body near the lower left and right hand corners. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

These front reflectors shall be located between 15 and 60 inches (38.1 and 152.4 cm) above the roadway at either fender, cowl, or body and installed so as to mark the outer edge of the maximum width of the MFSABbus. No part of the required reflecting material may be obscured by a lamp, mirror, bracket or any other portion of the MFSABbus.

No part of the required reflecting material may be more than 11.8 inches (29.97 cm)(~~300 mm~~) inboard of the outer edge of the nearest rub rail.

The reflector may be any shape (e.g., square, rectangle, circle, oval, etc.). A rigid type reflex reflector may be any size if permanently marked either DOT, SAE A, or SAE J 594; otherwise, it shall display at least seven

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

square inches of reflecting material (about 3 inch diameter (7.62 cm) if a solid circle).

A sheet type (tape) reflex reflector may conform to the surface on which it is installed but its forward projected reflecting area shall be at least eight square inches.

Exception: MFSABbuses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

2) Left Side

One amber no more than 12 inches (30.48 cm) from the front and one red no more than 12 inches (30.48 cm) from the rear. Mounted at a height not less than 15 inches (38.1 cm) and not more than 60 inches (152.4 cm) above the surface of the road. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

On MFSABbuses more than 30 feet long (914.4 cm), one amber reflector must also be provided at or near midpoint between front and rear side reflector. (See 49 CFR 571.108.)

All reflectors must measure at least three inches (7.62 cm) in diameter.

3) Right Side

One amber no more than 12 inches (30.48 cm) from the front and one red no more than 12 inches (30.48 cm) from the rear. Mounted at a height not less than 15 inches (38.1 cm) and not more than 60 inches (152.4 cm) above the surface of the road. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

On MFSABbuses more than 30 feet long (914.4 cm), one amber reflector must also be provided at or near midpoint between front and rear side reflector. (See 49 CFR 571.108.)

All reflectors must measure at least three inches (7.62 cm) in diameter.

4) Rear

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Two red reflectors on rear body within 12 inches (30.48 cm) of lower right and lower left corners. (See Section 12-202 of the Illinois Vehicle Equipment Law.) Minimum three inches (7.62 cm) in diameter.

Exception: MFSAB Buses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

e) RUB RAILS

There shall be one rub rail, located approximately at seat level, that shall extend from the rear of the service entrance completely around the MFSAB bus body without interruption, except at functioning doors or a rear engine compartment, to a point of curvature near the front of the body on the left side.

There shall be one rub rail on each side, located approximately at the floor line, that shall extend over the same longitudinal distance as the rub rail located at the seat level.

More than two rub rails may be installed on sides and rear of the MFSAB bus.

Rub rails of longitudinally corrugated or ribbed steel at least 3.9 inches (9.91 cm)(~~100 mm~~) wide shall be fixed on the outside of the MFSAB bus.

Exceptions:

- 1) Rub rail need not extend across wheel housing.
- 2) Rub rail may terminate at the point of curvature at the right and left rear corners of the body.

f) SEAT BELTS

Each MFSAB shall be equipped with a retractable lap belt assembly for the driver's seat. (See Section 12-807 of the Illinois Vehicle Equipment Law.) A shoulder harness is optional. Belt material, buckle, tongue, etc., of each driver's belt shall remain above floor when not in use.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Passenger safety belts that meet 49 CFR 571.222 are required on any MFSAB that has a GVWR of 10,000 pounds or less. Passenger safety belts are optional on any MFSAB that has a GVWR of more than 10,000 pounds. However, optional safety belts installed on any MFSAB are required to meet 49 CFR 571.222. At all times, each seat belt shall be readily available for quick and easy use. Retractors must be the emergency locking type. Each belt assembly shall be clean.

g) SEAT, DRIVER'S

The driver's seat shall be rigidly positioned and have a forward and backward adjustment without the use of tools or other nonattached devices. Seat cushions shall be securely fastened to the seat frame.

Optional: MFSABBus may be equipped with a durable safety belt webbing cutter with a full-width handgrip and a protected, replaceable, or non-corrodible blade. The webbing cutter must not be mounted on the dash but must be mounted in a location accessible to the seated driver in an easily detachable manner.

(Source: Amended at 37 Ill. Reg. 6791, effective May 3, 2013)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Section 435.APPENDIX H Seats, Passenger through Storage Compartment (optional)

a) SEATS, PASSENGER

Each seat and each barrier are required to conform to FMVSS 222 (49 CFR 571.222).

~~Each seat shall be constructed so that the shortest straight line distance from the top of the seat back to the empty seat cushion is 28" when measured near the transverse center of the seat at the front of the seat back and along the angle of rearward inclination of the seat back. Since the height of a seat back is difficult to measure precisely on a repeated basis, a measurement of 27.5" or more is deemed acceptable.~~

All seats shall be forward facing and securely fastened to part or parts of MFSABbus that support them. No MFSABbus shall be equipped with jump seats or portable seats (does not include child restraint systems). Padding and covering shall be of fire resistant material. Backs of all seats of similar size shall be of the same width at top and the same height from floor and shall slant at the same angle with the floor. The top and side rails and seat backs shall be padded to cushion level. Seat padding and covering shall be in good condition (i.e., free from holes and tears). Seat cushions shall be securely fastened to the seat frame. [\(See 49 CFR 571.222.\)](#)

b) SHOCK ABSORBERS

Two front and two rear double-acting shock absorbers of adequate capacity shall be installed.

c) STEERING SYSTEM

The rim grip of the steering wheel shall have at least ~~two inches (5.08 cm)~~ 50 mm (2") clearance in all directions, except at the spokes.

The steering gear shall provide safe and accurate performance at maximum load and speed and shall be easily adjusted. Only changes approved by the chassis manufacturer shall be permitted.

d) STEPS, ENTRANCE

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

The bottom step in the entranceway shall not extend beyond the exterior of the body. With all seats empty, the bottom step shall be not less than 11.8 inches (29.97 cm)~~300 mm (11.8")~~ and not more than 15.7 inches (39.88 cm)~~400 mm (15.7")~~ from the roadway. At least two steps shall be provided. The steps shall be enclosed. Risers shall be approximately equal. Each step, including the floor at the top riser, shall be surfaced with a nonskid material with a 1.6 inches (4.06 cm)~~40 mm (1.6")~~ to 3.1 inches (7.87 cm)~~80 mm (3.1")~~ white nosing as an integral piece.

- e) STOP SIGNAL ARM PANEL (not applicable)

MFSAB cannot be equipped with stop signal arm panels.

- f) STORAGE COMPARTMENT (optional)

Covered, fire-resistant container securely fastened of adequate strength and capacity for tire chains and tools for minor emergency repairs.

(Source: Amended at 37 Ill. Reg. 6791, effective May 3, 2013)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Inspection Procedures for Multifunction School Activity Buses
- 2) Code Citation: 92 Ill. Adm. Code 436
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
436.10	Amend
436.APPENDIX C	Amend
436.APPENDIX G	Amend
436.APPENDIX H	Amend
436.APPENDIX I	Amend
- 4) Statutory Authority: Implementing Article VIII of Chapter 12 of the Illinois Vehicle Code [625 ILCS 5/Ch. 12, Art. VIII] and the Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13] and Section 14-3(m) of the Criminal Code of 1961 [720 ILCS 5/14-3(m)] and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/12-812]
- 5) Effective Date of Rulemaking: May 3, 2013
- 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 incorporation by reference, is on file in the agency's Division of Traffic Safety and Office of Chief Counsel and is available for public inspection.
- 9) Notice of Proposal Published in *Illinois Register*: January 4, 2013; 37 Ill. Reg. 148
- 10) Has JCAR issued a Statement of Objection to these rules? No
- 12) Differences between Proposal and Final Version: Several grammatical corrections were made in agreement with JCAR.

Additionally, the following substantive changes were made in response to public comment:

At Section 436.Appendix C(b)(7), after "as", the Department inserted "an" and is deleting "a school".

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

At Section 436.Appendix G(c)(1)(A), the Department changed "9.91 cm" to "10.16 cm".

At Section 436.Appendix G(d), after "acceptable", the Department added "Two or more lamps or reflectors may be combined if the requirements for each lamp or reflector are met. However, no clearance lamp shall be combined with a tail lamp. (See 49 CFR 571.108-S6.3.)"

At Section 436.Appendix H(c), language has been changed to look like this:

- a) PEDALS (ACCELERATOR, SERVICE BRAKE, CLUTCH, EMERGENCY/PARKING BRAKE)

At Section 436.Appendix H(c), language has been changed to look like this:

Manufactured pedal extensions are allowed. They must be securely attached and covered with rigid nonslip material. Homemade pedal extensions are prohibited.

At Section 436.Appendix H(c), the Department changed the language as follows:

Manufactured pedal extensions are not securely attached. Homemade pedal extensions are present.

At Section 436.Appendix H(f), the following language has been added:

Two or more lamps or reflectors may be combined if the requirements for each lamp or reflector are met. (See 49 CFR 571.108-S6.3.)

At Section 436.Appendix I(b), the Department inserted "cannot be mounted on the dash but" between "cutter" and "must".

At Section 436.Appendix I(d)(1)(B)(i), after "i) Ball Joints", the Department inserted "(Grasp wheel at top and bottom to attempt to rock wheel in and out. Check movement at extreme top or bottom of tire.)".

At Section 436.Appendix I(d)(2)(C), the Department deleted the Agency Note.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes, they were grammatical in nature.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- 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 the Rulemakings: The Department revised Section 436.10 by adding Multifunction School Activity Buses (MFSABs) owned and operated by private schools to the applicability of this Part since those vehicles are also regulated by the Department. The Department is authorized under 625 ILCS 5/1-182 and 11-1414.1 to regulate MFSABs owned and operated by private schools.

Throughout this rulemaking, the Department added the metric conversion in centimeters after the English measurement to correspond to the federal motor vehicle safety standards (FMVSS). The FMVSS provide both English and metric measurements.

At Section 436.Appendix C(c) the Department clarified that a child check system is not an optional item for MFSAB owners. At the owner's discretion, the system can either be a manual or an electronic/mechanical system. The Illinois Vehicle Equipment Law requires the Department to establish standards if the owner chooses to utilize an electronic/mechanical system but a completely manual system is also a viable option.

At Section 436.Appendix C(e)(1) and (7), provisions prescribing that the crossing control arm be wired to, and operate in conjunction with, the stop signal arm panel were replaced with provisions prescribing, instead, that the wiring and operation of the crossing control arm be in conjunction with the opening and closing of the service entrance door. MFSABs are prohibited from being equipped with a stop signal arm panel so the crossing control arm on an MFSAB must be wired to and operated in conjunction with the service entrance door.

At Section 436.Appendix C(f) the Department added a standard that requires the MFSAB dash to be free of all obstruction. This includes, but is not limited to, two-way radios, GPS systems, etc. The driver's view of the roadway must not be obstructed by anything on the dash.

At Section 436.Appendix G(c)(1) and (2), the Department added "required lettering is not distinct" to the rejection criteria for lettering.

At Section 436.Appendix G(c)(B) and (D), the Department added language that requires the directions to operate the emergency exit release handle be present and in a color that

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

contrasts with its background for consistency with 92 Ill. Adm. Code 435 (Minimum Safety Standards for Construction of Multifunction School Activity Buses) and the FMVSS.

At Section 436.Appendix G(c)(1)(C), the Department amended language for emergency exit lettering for consistency with 92 Ill. Adm. Code 435 and the FMVSS.

At Section 436.Appendix G(d) in Lights and at Section 436.Appendix H(f) in Reflectors, the Department added a provision from the Code of Federal Regulations that allows two or more lamps or reflectors to be combined if the requirements for each lamp or reflector are met. However, no clearance lamp shall be combined with a tail lamp.

At Section 436.Appendix G(d)(10)(12) and (13), the Department added "does not function properly" to the rejection criteria for lighting.

At Section 436.Appendix G(d)(17), the Department clarified that, on larger MFSABs, front turn signal lamps may be located on the fender or cowl.

At Section 436.Appendix H(a)(1)(B) and (C), the Department added "not adjustable" to the rejection criteria for two mirrors (inadvertently omitted in a previous rulemaking).

At Section 436.Appendix H(c), Pedals (Accelerator and Brake), the Department added a requirement prohibiting the use of homemade pedal extensions and will require pedal extensions to be manufactured specifically for that use. The Department also amended the subsection heading to include all pedal options (i.e., accelerator, service brake, clutch, and emergency/parking brake).

At Section 436.Appendix H(d)(2), the Department deleted the prohibition concerning book or luggage racks in MFSABs. The FMVSS allow overhead storage racks to be installed in MFSABs and use of overhead storage racks in MFSABs is common practice in the industry. The Department will allow overhead storage racks provided they are padded when located within 59 inches from the floor.

At Section 436.Appendix H(e), the Department clarified that two-way radio speakers can be located within four feet of the driver's seat.

At Section 436.Appendix I(b), the Department added language that prohibits the webbing cutter from being located on the vehicle's dash.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

At Section 436.Appendix I(c), the Department deleted the provision that requires a minimum height for passenger seats. Since October 21, 2009, the FMVSS require school bus passenger seats to measure 28" when measured from the seat cushion to the top of the seat back. The deleted language is no longer appropriate.

At Section 436.Appendix I(d)(1)(B), the Department added specific procedures that are unique to the inspection of ball joints. These procedures are similar to the procedures used to inspect king pins.

At Section 436.Appendix I(d)(2)(D), the Department added language prescribing that, when the steering wheel is found to be loose, the vehicle will be rejected.

At Section 436.Appendix I (d)(2)(C), the Department deleted the Agency Note.

Throughout this rulemaking, the Department also made non-substantive corrections and amendments.

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

Ms. Catherine Allen
Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212

217/785-3031

By Messenger or Inter-Agency Mail:

IDOT/Division of Traffic Safety
1340 N. 9th Street
Springfield, Illinois 62702

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

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 436

INSPECTION PROCEDURES FOR MULTIFUNCTION SCHOOL ACTIVITY BUSES

Section

436.10	Purpose, Scope and Implementation Date
436.20	Incorporation by Reference of Federal Regulations
436.30	Definitions
436.APPENDIX A	Air Cleaner through Barrier, Guard
436.APPENDIX B	Battery or Batteries through Bumper, Front
436.APPENDIX C	Bumper, Rear through Drive Shaft Guard
436.APPENDIX D	Electrical System Wiring through Fenders
436.APPENDIX E	Filter, Oil through Frame and Body
436.APPENDIX F	Fuel Storage and Delivery System through Horn
436.APPENDIX G	Instruments and Instrument Panel through Locked Compartment (optional)
436.APPENDIX H	Mirrors through Rub Rails
436.APPENDIX I	Seat Belts through Steering System
436.APPENDIX J	Steps, Entrance through Suspension
436.APPENDIX K	Tow Hooks (optional) through Warning Devices
436.APPENDIX L	Wheels through Windshield Wipers

AUTHORITY: Implementing Article VIII of Chapter 12 of the Illinois Vehicle Code [625 ILCS 5/Ch.12, Art. VIII] and the Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13] and Section 14-3(m) of the Criminal Code of 1961 [720 ILCS 5/14-3(m)] and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/12-812].

SOURCE: Adopted at 36 Ill. Reg. 2973, effective February 10, 2012; amended at 37 Ill. Reg. 6823, effective May 3, 2013.

Section 436.10 Purpose, Scope and Implementation Date

This Part prescribes the requirements of the Illinois Department of Transportation (Department) governing the inspection of multifunction school activity buses | ~~(MFSAB)~~(MFSABs) that are manufactured on or after July 1, 2012. These standards are

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

applicable to ~~MFSAB~~~~MFSABs~~ that are owned or operated by, or for, [public](#) school districts, [private schools](#), or school [transportation](#)~~bus~~ contractors.

(Source: Amended at 37 Ill. Reg. 6823, effective May 3, 2013)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Section 436.APPENDIX C Bumper, Rear through Drive Shaft Guard

a) BUMPER, REAR

PROCEDURES/SPECIFICATIONS:

The rear bumper shall be channel-type cross section with the top edge at least 8.86 inches (22.5 cm)~~225 mm (8.9")~~ above the bottom edge. The bumper shall be formed from rolled steel at least .18 inch (.455 cm)~~4.55 mm (.18")~~ thick, and shall wrap around the rear corners of the body to a point at least 11.8 inches (29.97 cm)~~300 mm (11.8")~~ forward of the rearmost point of the body at floor line. The rear bumper shall be attached to the chassis frame with provisions for removal by means of commonly available hand tools and the prevention of hitching to or riding on. The rear bumper shall be of sufficient strength to permit the MFSABbus being pushed by another vehicle without permanent distortion.

REJECT VEHICLE IF:

Rear bumper does not meet requirements. Bumper is not solidly attached. Sharp edges are present. Rear bumper is hitchable.

b) CERTIFICATION LABEL (FEDERAL)

PROCEDURES/SPECIFICATIONS:

The manufacturer's label must contain the following information:

- 1) Name of vehicle (MFSABbus) manufacturer and the month and year in which manufacture of the vehicle was completed;
- 2) Name of incomplete vehicle (chassis) manufacturer and the month and year in which it performed the last manufacturing operation on the incomplete vehicle;
- 3) Gross vehicle weight rating or ratings (GVWR);
- 4) Gross axle weight ratings (GAWR);

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- 5) The statement, "This vehicle conforms to all applicable federal motor vehicle safety standards in effect in (month/year)";
- 6) The vehicle identification number (VIN);
- 7) The vehicle's classification (MFSAB). (See 49 CFR 567.5.)

The certification label may be supplemented by an alterer's certification. A certified vehicle might have been altered before its purchase for use as ~~ana-school~~ [MFSABbus](#). The alterations may have included, but are not limited to, classification changes, gross weight rating changes, or changes to the application/effective date of an FMVSS. If any such alteration occurred, the [MFSABbus](#) must carry an additional federal label that identifies the alterer, shows when alteration was completed, "as altered" GVWR, GAWR and classification (if changed). It must also state that the altered vehicle conforms to all applicable FMVSS in effect in (month/year). (See 49 CFR 567.7.)

REJECT VEHICLE IF:

A required label is absent, defaced, destroyed, not riveted, or not permanently affixed. "Permanently affixed" means the label cannot be removed without destroying or defacing it.

A certification label does not contain the required statement and all other information required for that label.

c) CHILD CHECK SYSTEM (~~optional~~)

If a mechanical or electronic child check system is installed, the system shall require that, when the driver turns off the vehicle's ignition system, the vehicle's interior lights must illuminate to assist the driver. (See Section 12-~~816186~~ of the Illinois Vehicle Equipment Law.)

[AGENCY NOTE: A manual child check system may be utilized by the MFSAB owner.](#)

REJECT VEHICLE IF:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

A mechanical or electronic child check system is installed but the interior lights are not illuminated when the ignition is turned off or to the "accessories" position.

d) COMMUNICATION DEVICE

PROCEDURES/SPECIFICATIONS:

An MFSAB must contain either a cellular radio telecommunication device (i.e., cell phone) or an operating two-way radio while the ~~MFSABschool bus~~ driver is in possession of ~~the MFSABa school bus~~.

Verify either a cell phone or a two-way radio is operating and can be turned on.

Exception: If neither a cell phone nor a two-way radio is present on the ~~MFSABbus~~ at the time of inspection, documentation on district or company letterhead must be present indicating the communication device requirement is being met by the use of a cell phone that is not present at the time of inspection.

REJECT VEHICLE IF:

The two-way radio or cell phone does not operate; or

Two-way radio or cell phone is not present and no documentation is provided indicating the communication device requirement is being met by the use of a cell phone.

e) CROSSING CONTROL ARM

PROCEDURES/SPECIFICATIONS:

The crossing arm must meet the following:

- 1) Must ~~be wired to the opening and closing of the service entrance door~~ ~~meet or exceed the wiring requirements of SAE J1133~~.
- 2) Must be capable of full operation between, and including, the temperatures -40° F and 160° F.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- 3) The arm, when activated, must extend a minimum of five feet from the front face of the bumper.
- 4) The arm must be mounted on the far right side (entry side) of the front bumper.
- 5) Appropriate brackets shall be used to attach the arm to the front bumper for proper operation and storage. The arm must stay at the same level as the front bumper and must not "dip" below the front bumper.
- 6) All component parts must meet or exceed any applicable federal motor vehicle safety standards in effect at the time of manufacture.
- 7) The arm must extend at the same time the [service door opens](#)~~stop arm panel extends~~. An independent "on/off" switch is prohibited.
- 8) If the driver can stop the arm from extending with the use of an optional override switch, the arm sequence must automatically reset once the service door is closed.
- 9) Red lights and/or red reflectors are prohibited.

REJECT VEHICLE IF:

Crossing control arm does not meet requirements.

[f\) DASH](#)[PROCEDURES/SPECIFICATIONS:](#)

[The dash area below the windshield must be free of all obstructions. This includes, but is not limited to, two-way radios, GPS systems, pencil holders, decorations, or any other obstacle that may obstruct a driver's field of view.](#)

[REJECT VEHICLE IF:](#)

[Any obstruction is on the dash below the MFSAB windshield.](#)

[gf\) DEFROSTERS](#)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

PROCEDURES/SPECIFICATIONS:

Using heat from heaters and circulation from fans, defrosting equipment shall keep the windshield, the windows to the left of the operator, and the glass in the service door clear of fog, frost, and snow. Must conform to federal standard 49 CFR 571.103.

(Auxiliary fans are not considered to be a defrosting and defogging system.)

REJECT VEHICLE IF:

Defrosting system does not function properly.

Auxiliary fans are not securely mounted or blades are not protected.

| [hg](#)) DRIVE SHAFT GUARD

PROCEDURES/SPECIFICATIONS:

Shall be of sufficient strength to protect each segment of the drive shaft and prevent it from going through the floor or dropping to the ground if broken.

REJECT VEHICLE IF:

Drive shaft guard is missing, not firmly attached, or does not properly protect each segment of the drive shaft.

(Source: Amended at 37 Ill. Reg. 6823, effective May 3, 2013)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Section 436.APPENDIX G Instruments and Instrument Panel through Locked Compartment (optional)

a) INSTRUMENTS AND INSTRUMENT PANEL

PROCEDURES/SPECIFICATIONS:

Shall be equipped with the following nonglare illuminated instruments and gauges mounted for easy maintenance and repair and in such a manner that each is clearly visible to the seated driver. An indicator light instead of a pressure or temperature gauge is permissible. (See 49 CFR 571.101.)

- 1) Speedometer;
- 2) Odometer;
- 3) Fuel gauge;
- 4) Oil pressure gauge;
- 5) Water temperature gauge;
- 6) Ampere meter or volt meter with graduated charge and discharge indications;
- 7) High beam headlight indicator;
- 8) Directional signal indicator;
- 9) Air pressure or vacuum gauge (when air or vacuum brakes are used);
- 10) Emergency/service brake indicator (includes anti-lock brake system (ABS)).

REJECT VEHICLE IF:

Instruments or instrument panel do not operate properly; instruments are missing; inaccurate readings.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

b) INSULATION

PROCEDURES/SPECIFICATIONS:

The ceiling and sidewalls shall be thermally insulated with a fire-resistant material that shall reduce the noise level and vibrations.

REJECT VEHICLE IF:

Insulation does not meet requirements.

c) LETTERING

1) Exterior

PROCEDURES/SPECIFICATIONS:

The body and chassis manufacturer's name, emblem, or other identification may be displayed (colorless or any color) on any unglazed surface of the [MFSABbus](#).

A vehicle identification number may be displayed on the exterior surface of the [MFSABschool bus](#) roof.

A) Front

PROCEDURES/SPECIFICATIONS:

Vehicle number assigned for identification shall be a minimum of four inches [\(10.16 cm\)](#)~~(100 mm)~~ high and located as high as practicable. Decals are permissible. (See Section 12-802 of the Illinois Vehicle Equipment Law.)

REJECT VEHICLE IF:

Lettering does not meet requirements. [Required lettering](#)~~Lettering~~ is obstructed [or not distinct](#).

B) Left

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

PROCEDURES/SPECIFICATIONS:

The name of the owner or the entity for which the MFSAB is operated or both shall be painted in a contrasting color on both sides, centered as high as practicable below the window line, in letters at least four inches (10.16 cm)~~4 inches~~ high. (See Section 12-802(b) of the Illinois Vehicle Equipment Law.)

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door. For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of, the emergency window exit in letters at least 1.95 inches (5 cm) high. ~~The labeling must be of a color that contrasts with its background. (See 49 CFR 571.217.)~~

An arrow, at least 5.9 inches (14.99 cm) in length and $\frac{3}{4}$ inch (1.91 cm) in width, indicating the direction each release mechanism should be turned to open the door or window must be located within 5.9 inches (14.99 cm) of the release handle.

Decals are permissible. All required lettering and labeling must be a color that contrasts with its background. (See 49 CFR 571.217.)

Optional: Vehicle number assigned for identification may be displayed at a minimum height of four inches (10.16 cm)~~(100 mm)~~.

Decals are permissible.

REJECT VEHICLE IF:

Lettering does not meet requirements. Required lettering is obstructed or not distinct.

C) Rear

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

PROCEDURES/SPECIFICATIONS:

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door.

For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of, the emergency window exit in letters at least 1.95 inches (5 cm) high.

~~"EMERGENCY DOOR" or "EMERGENCY EXIT" in lettering at least two inches high at top of emergency door, or directly above, or on door glazing.~~

~~"EMERGENCY EXIT" (for buses without rear emergency door) in letters at least two inches high directly below rear emergency window or on exit glazing.~~

An arrow, at least 5.9 inches (14.99 cm) in length and $\frac{3}{4}$ inch (1.91 cm) in width, indicating the direction each release mechanism should be turned to open the door or window must be located within 5.9 inches (14.99 cm) of the release handle, ~~in black.~~

Vehicle number assigned for identification shall be a minimum four inches (10.16 cm) ~~(100 mm)~~ high. Decals are permissible.

All required lettering and labeling must be a color that contrasts with its background. (See 49 CFR 571.217.)

If MFSAB~~bus~~ uses alternate fuel (e.g., propane, CNG), vehicle must be marked with identifying decal. The decal shall be diamond shaped with white or silver scotchlite letters one inch in height and a stroke of the brush at least $\frac{1}{4}$ inch (.64 cm) wide on a black background with a white or silver scotchlite border bearing either the words or letters:

"PROPANE" = If propelled by liquefied petroleum gas other than liquefied natural gas; or

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

"CNG" = If propelled by compressed natural gas. The sign or decal shall be maintained in good legible condition.

The alternate fuel decal shall be displayed near the rear bumper and visible from the rear of vehicle. (See Section 12-704.3 of the Illinois Vehicle Equipment Law.)

A white decal with black lettering and numerals that measure one inch (2.54 cm) high must be displayed on the rear of the MFSABbus. The decal must display either the words TO REPORT ERRATIC DRIVING or TO COMMENT ON MY DRIVING CALL followed by the area code and telephone number of the MFSABbus owner. The decal shall be located on the rear window glazing below the rear seat back, on the MFSABbus body below the window line, or on the rear bumper. The decal must be visible to the motoring public from the rear of the MFSABbus and cannot obstruct any required lettering or numerals. The decal cannot be located on any emergency door glazing or any emergency window glazing. Magnetic signs are prohibited. (See Section 12-821 of the Illinois Vehicle Equipment Law.)

Exception: If the MFSABbus is being presented for inspection by a dealer or a manufacturer prior to delivery to the owner, the TO REPORT ERRATIC DRIVING or TO COMMENT ON MY DRIVING CALL decal is optional. The decal may be applied by the MFSABschoolbus owner after the MFSABschoolbus is purchased.

REJECT VEHICLE IF:

Lettering does not meet requirements. Required lettering is obstructed or not distinct.

MFSABbuses using alternate fuels are not properly marked with decal. Decal is in wrong location.

D) Right

PROCEDURES/SPECIFICATIONS:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

The name of the owner or the entity or both for which the MFSAB is operated shall be painted in a contrasting color on both sides, centered as high as practicable below the window line, in letters at least ~~four inches (10.16 cm)~~4 inches high. (See Section 12-802 of the Illinois Vehicle Equipment Law.)

The following lettering must be at least two inches ~~(5.08 cm)~~(50 mm) high:

- i) The word "CAPACITY", or abbreviation "CAP.", plus numerals showing~~and the~~ rated passenger capacity followed by the word "PASSENGERS", or the abbreviation "PASS.", shall be displayed on the outside of the body near the rear edge of the service entrance.
- ii) Empty weight in pounds must be shown. Empty weight is indicated by "EW". (See Section 12-802 of the Illinois Vehicle Equipment Law.)

Manufacturer's identification name or emblem may be displayed, but not on service door glazing. Manufacturer's name or emblem must not interfere with required lettering. Decals are permissible.

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door.

For any emergency window exit "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high.

~~The labeling must be of a color that contrasts with its background. (See 49 CFR 571.217.)~~

An arrow, at least 5.9 inches (14.99 cm) in length and 3/4 inch (1.91 cm) in width, indicating the direction each release mechanism should be turned to open the door or window must be located within 5.9 inches (14.99 cm) of the release handle.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Decals are permissible. All required lettering and labeling must be a color that contrasts with its background. (See 49 CFR 571.217.)

Optional: If audio and/or visual recording devices are present on the MFSABbus, one white decal with black lettering measuring one inch (2.54 cm) high shall be displayed on the exterior of the service (i.e., entrance) door, or on the MFSABbus body adjacent to the service door if the door is not adequate to accommodate the decal. The decal shall serve as a notice of audio and/or visual recordings. The decal must not be located on any service door glazing. Magnetic signs are prohibited. (See Section 14-3(m) of the Illinois Criminal Code.)

REJECT VEHICLE IF:

Lettering does not meet requirements. Required letteringLettering is obstructed or not distinct.

2) Interior

A) Front

PROCEDURES/SPECIFICATIONS:

Each letter or numeral must be at least two inches (5.08 cm)(~~50 mm~~) high and contrasting sharply with its background. A colorless background strip (such as white, aluminum or silver) may be used. Decals are permitted.

On right side: Either "CAPACITY" or "CAP." plus numerals showing rated passenger capacity, followed by either "PASSENGER" or "PASS."

As nearly as practicable opposite the center of aisle, but to right of inside mirror, either "NO STANDEES" or "NO STANDEES PERMITTED."

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

The vehicle's length (rounded up to next whole foot) shall be displayed on the bulkhead clearly within the driver's view. (For example: vehicle length of 39.1 feet will be displayed as 40 feet.)

A red cross formed of five equal squares with words "FIRST-AID KIT" shall be displayed on the compartment door, or cover, if the first-aid kit is to be carried in the locked compartment.

The words "FIRE EXTINGUISHER" shall be displayed on the compartment door, or cover, if the fire extinguisher is to be carried in the locked compartment.

Optional: If audio and/or visual recording devices are present on the MFSAB~~bus~~, one white decal with black lettering measuring one inch (2.54 cm) high shall be displayed on the front interior bulkhead. The decal shall serve as a notice of audio and/or visual recordings. The decal must not obstruct any other required lettering on the bulkhead. Magnetic signs are prohibited. (See Section 14-3(m) of the Illinois Criminal Code.)

Optional: A "No Smoking" sign may be posted on the interior surface of an MFSAB~~bus~~.

REJECT VEHICLE IF:

Lettering does not meet requirements. Required lettering~~Lettering~~ is obstructed or not distinct. Vehicle length is not displayed properly or is absent.

B) Left

PROCEDURES/SPECIFICATIONS:

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door. For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labeling must be of a color that contrasts with its

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

background. Concise operating instructions describing the motions necessary to unlatch and open the exit must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the ~~MFSAB~~bus. These operating instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

REJECT ~~VEHICLE~~VEHICLE IF:

Lettering does not meet requirements. ~~Required lettering~~Lettering is obstructed or not distinct.

C) Rear

PROCEDURES/SPECIFICATIONS:

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door.

For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labeling must be of a color that contrasts with its background. Concise operating instructions describing the motions necessary to unlatch and open the door must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the ~~MFSAB~~bus. These operating instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

REJECT VEHICLE IF:

Lettering does not meet requirements. ~~Required lettering~~Lettering is obstructed or not distinct.

D) Right

PROCEDURES/SPECIFICATIONS:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any side emergency door. For any emergency window exit, "EMERGENCY EXIT" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, or at the bottom of the emergency window exit. The labeling must be of a color that contrasts with its background. Concise operating instructions describing the motions necessary to unlatch and open the exit must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the MFSABbus. These instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

REJECT VEHICLE IF:

Right interior lettering does not meet requirements. Required lettering ~~Lettering~~ is obstructed or not distinct.

E) Ceiling

PROCEDURES/SPECIFICATIONS

Roof exit must be labeled "EMERGENCY EXIT" in letters at least 1.95 inches (5 cm) high, of a color that contrasts with its background. The labeling must be located on an inside surface of the exit, or within 11.7 inches (30 cm) of the roof exit opening. Concise operating instructions describing the motions necessary to unlatch and open the emergency exit shall be located within 5.85 inches (15 cm) of the release mechanism. These instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

REJECT VEHICLE IF:

Lettering does not meet requirements. Required lettering is obstructed or not distinct.

d) LIGHTS

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Light Emitting Diode (LED) lamps that meet applicable FMVSS or SAE Standards/Recommended Practices are acceptable. Two or more lamps or reflectors may be combined if the requirements for each lamp or reflector are met. However, no clearance lamp shall be combined with a tail lamp. (See 49 CFR 571.108-S6.3.)

1) Back Up

PROCEDURES/SPECIFICATIONS:

Two white lights shall be provided. Must meet federal standards (49 CFR 571.108).

REJECT VEHICLE IF:

Back-up lights do not function; illegal color; broken lens.

2) Clearance, Front

PROCEDURES/SPECIFICATIONS:

Two clearance lights (amber) visible from the front at highest and widest portions of the body. Must conform to federal standards (49 CFR 571.108). May be combined with sidemarker lamp provided the requirements for both lights are met.

Exception: MFSABuses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Front clearance lights do not function; improper color; broken lens.

3) Clearance, Rear

PROCEDURES/SPECIFICATIONS:

Two clearance lights (red) mounted at highest and widest parts of body. Must conform to federal standards (49 CFR 571.108).

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Exception: MFSAB Buses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Rear clearance lights do not function; improper color; broken lens.

4) Identification, Front

PROCEDURES/SPECIFICATIONS:

Three amber lights mounted at center front near top of body. Must conform to federal standards (49 CFR 571.108).

Exception: MFSAB Buses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Front cluster lights do not function properly; improper color; broken lens.

5) Identification, Rear

PROCEDURES/SPECIFICATIONS:

Three red lights mounted at center rear near top of body. Must conform to federal standards (49 CFR 571.108).

Exception: MFSAB Buses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Rear cluster lights do not function properly; improper color; broken lens.

6) Flashing Signal System (not applicable)

PROCEDURES/SPECIFICATIONS:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

MFSAB cannot be equipped with a flashing signal system.

REJECT VEHICLE IF:

MFSAB is equipped with a flashing signal system.

7) Headlights

PROCEDURES/SPECIFICATIONS:

Shall have at least two headlamps with at least one mounted on each side of the front of the MFSAB bus. Lamp body must be securely attached. Lenses, reflectors, bulbs, etc., must be in good condition, properly aimed and fill required intensity. Check for bulb burn out. Verify high and low beams are functioning. Shall conform to federal standards (49 CFR 571.108).

REJECT VEHICLE IF:

Headlights do not meet requirements. High/low beams do not function.

8) Interior

PROCEDURES/SPECIFICATIONS:

Adequate to illuminate aisles, step well, and emergency passageways.

REJECT VEHICLE IF:

Interior lights do not provide adequate lighting; have cracked or broken lenses; are improper color.

9) License Plate

PROCEDURES/SPECIFICATIONS:

Adequate white light to illuminate license plate. (See 49 CFR 571.108.) May be combined with one of the tail lights.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

REJECT VEHICLE IF:

License plate light does not provide adequate lighting; has cracked or broken lenses; is improper color.

10) Parking Lights

PROCEDURES/SPECIFICATIONS:

Shall be one lamp on each side; white or amber color. (See 49 CFR 571.108.)

All MFSABbuses 80 or more inches (203.2 cm) in overall width that are equipped with side marker lamps, clearance lamps, and intermediate side marker lamps are exempt from having parking lights. However, if the vehicle is equipped with parking lights, they must be operational. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Parking lights do not meet requirements; do not function properly; are improper color; have cracked or broken lenses.

11) Sidemarker, Left

PROCEDURES/SPECIFICATIONS:

Two lamps: one amber at front and one red at rear, mounted as high as practicable and located on the side of the MFSABbus. Shall conform to federal standards (49 CFR 571.108).

REJECT VEHICLE IF:

Left marker lights do not meet requirements; do~~es~~ not function properly; are improper color; have cracked or broken lenses.

12) Sidemarker, Right

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

PROCEDURES/SPECIFICATIONS:

Two lamps: one amber at front and one red at rear, mounted as high as practicable and located on the side of the MFSABbus. Shall conform to federal standards (49 CFR 571.108).

REJECT VEHICLE IF:

Right marker lights do not meet requirements; do not function properly; are improper color; have cracked or broken lenses.

13) Step Well

PROCEDURES/SPECIFICATIONS:

At least the nosings of the service entrance steps and the floor around the step well shall be automatically illuminated with white light when the ignition is on and the service entrance door is open.

No lamp shall be installed so as to shine directly into the eyes of a pupil moving through the service entrance and looking at the service steps.

REJECT VEHICLE IF:

Step well light does not meet requirements; does not function properly; is improper color; has cracked or broken lenses.

14) Stop

PROCEDURES/SPECIFICATIONS:

Two red lights mounted at same height and as high as practicable below window line. Seven inch (17.78 cm) minimum diameter or 19 square inches. Not less than 36 inches (91.44 cm) ~~three feet~~ apart laterally. Must conform to federal standards (49 CFR 571.108).

For MFSABbuses with an overall width of less than 80 inches (203.2 cm), a high mounted stop lamp is required (may be two lamps).

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

REJECT VEHICLE IF:

Stop lights do not meet requirements; are improper color; have cracked or broken lenses; do not function properly.

15) Strobe

PROCEDURES/SPECIFICATIONS:

Lamp must comply with following requirements:

- A) One per MFSABbus;
- B) Shall emit white or bluish/white light;
- C) Shall be visible from any direction;
- D) Shall flash 60 to 120 times per minute;
- E) Shall be visible in normal sunlight;
- F) Mounted at or behind center of rooftop and equal distance from each side.

Distance from rear will be calculated by measuring height of filament (in inches) and multiplying same by 30 inches. (Filament height x 30 = distance from rear of MFSABbus where lamp is to be located.)

If a roof exit, air conditioner or the size of the MFSABbus interferes with the placement of a strobe as required in this subsection (d)(15)(F), the strobe can be placed to the rear of the roof exit or air conditioner as near as practicable above the rear axle, horizontally centered between the rear tires.

REJECT VEHICLE IF:

Strobe light does not meet installation requirements; does not function properly; is improper color; has cracked or broken lenses.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Shielding is present.

16) Tail

PROCEDURES/SPECIFICATIONS:

Two red lights mounted with centers not less than 40 inches (101.6 cm) nor more than 50 inches (127 cm) from surface on which vehicle stands. Must conform to federal standards (49 CFR 571.108).

REJECT VEHICLE IF:

Tail lights do not meet requirements; do not function properly; are improper color; have cracked or broken lenses.

17) Turn Signal, Front

PROCEDURES/SPECIFICATIONS:

One amber lamp located on each side at or near the front, ~~including the fender or cowl~~. They shall be located at the same height and as far apart as practicable. Lamps must conform to federal standards (49 CFR 571.108). The lamps may be located on the fender or the cowl, if practicable.

Operate turn signals and four-way warning hazards to check performance of front and rear lights.

REJECT VEHICLE IF:

Front turn signal lights do not meet requirements; do not function properly; are improper color; have cracked or broken lenses.

Four-way warning hazards do not operate properly.

18) Turn Signal, Rear

PROCEDURES/SPECIFICATIONS:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

One red or amber lens on each side at the same height and as far apart as practicable below window. Must meet federal standard 49 CFR 571.108.

REJECT VEHICLE IF:

Rear turn signal does not meet requirements; is improper color; does not function properly; has cracked or broken lenses.

e) LOCKED COMPARTMENT (optional)

PROCEDURES/SPECIFICATIONS:

Fire extinguisher, first-aid kit, and warning devices may be stored either in a closed, unlocked compartment or under lock and key, provided the locking device is connected with an automatic warning signal that will alert driver when compartment is locked. The automatic alarm shall be both audible and visible to the seated driver. The alarm shall alert the driver when the engine is running and the compartment is locked and cannot be readily opened without using a tool, key, or combination. An alarm cut-off or "squench" control is prohibited.

Each safety item inside the compartment shall be named on the outside of the compartment cover or door. In addition, a RED CROSS formed of five equal squares shall be displayed on the cover when the first aid kit is inside the compartment.

REJECT VEHICLE IF:

If present, locked compartment is not readily accessible to driver; lettering or identification missing; alarm does not function properly when compartment is locked and vehicle is running.

(Source: Amended at 37 Ill. Reg. 6823, effective May 3, 2013)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Section 436.APPENDIX H Mirrors through Rub Rails

a) MIRRORS

PROCEDURES/SPECIFICATIONS:

Every required mirror shall be of reflecting material protected from abrasion, scratching, and corrosion. Mirror shall be firmly installed on stable supports so as to give a clear, stable, reflected view. Mirrors must meet all requirements of 49 CFR 571.111 to provide the required field of view.

Convex crossover mirrors can be combined with either the right or left side safety mirrors provided the convex mirror meets the field of view and size requirements of 49 CFR 571.111.

REJECT VEHICLE IF:

Mirrors do not meet requirements; are defective; are excessively clouded; are not securely attached; have cracked or broken glass.

1) Exterior

A) Rear View Driving

PROCEDURES/SPECIFICATIONS:

Shall be mounted outside on the left and right sides of the MFSABbus. Must give seated driver a view to the rear along each side of the MFSABbus. Must be at least 50 square inches of usable flat rectangular reflecting surface on each side. (See 49 CFR 571.111.)

If the rear view driving mirror does not provide the required field of view, a convex driving mirror must be installed to expand the driving view to the rear. However, the usable flat reflecting surface must be rectangular and must maintain at least 50 square inches.

REJECT VEHICLE IF:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Rear view driving mirror does not meet requirements; is defective; is excessively clouded; is not adjustable; is not securely attached; has cracked or broken glass.

B) Right Side Safety

PROCEDURES/SPECIFICATIONS:

An outside convex mirror, either alone or in combination with the crossover mirror system, shall give the seated driver a view of the roadway along the right side of the MFSABbus between the most forward surface of the right front tire and the rear of the rear bumper. The projected reflecting surface of this convex mirror shall be at least 40 square inches ($7\frac{1}{8}$ inches (18.10 cm) diameter if a circle).

Extra-wide-angle convex mirror heads are permissible on right front corner only.

REJECT VEHICLE IF:

Right side safety mirror does not meet requirements; is defective; is excessively clouded; is not adjustable; is not securely attached; has cracked or broken glass.

C) Left Side Safety (Optional)

PROCEDURES/SPECIFICATIONS:

A convex mirror is required if the left rear view driving mirror system does not give the seated driver a reflected view of the roadway along the left side of the MFSABbus between the front edge of the driver's seat (in most forward position) and the rear of the rear bumper. The convex mirror shall be installed so that either alone or in combination with the rear view driving mirror gives the seated driver the proper view.

REJECT VEHICLE IF:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Left side safety mirror does not meet requirements; is defective; is excessively clouded; is not adjustable; is not securely attached; has cracked or broken glass.

D) Crossover

An outside convex mirror shall give the seated driver a view of the front bumper and the area of roadway in front of the MFSABbus. The projected reflecting surface of this mirror shall be at least 40 square inches (7 $\frac{1}{8}$ inch (18.10 cm) diameter if a circle). (See 49 CFR 571.111.)

Exception: If the seated driver of a forward control MFSABbus has a direct view of the front bumper and the area of roadway in front of the MFSABbus, a crossover mirror is optional.

REJECT VEHICLE IF:

Crossover mirror does not meet requirements; is defective; is excessively clouded; is not adjustable; is not securely attached; has cracked or broken glass.

2) Interior

PROCEDURES/SPECIFICATIONS:

Must have a clear view safety glass mirror, metal backed and framed with rounded corners and edges that shall be padded. Shall afford a good view of the interior and roadway to the rear.

REJECT VEHICLE IF:

Interior mirror does not meet requirements; is defective; is excessively clouded; is not adjustable; is not securely attached; has cracked or broken glass.

b) PAINT REQUIREMENTS

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

PROCEDURES/SPECIFICATIONS:

The exterior of any MFSAB can be any color except national school bus glossy yellow.

Each opening for a required emergency exit must be outlined around its outside perimeter with a minimum ~~one~~¹ inch (2.54 cm) wide retroreflective tape, including roof exits. The retroreflective tape must be on the exterior surface of the MFSAB bus. Required retroreflective tape can be located on the rear bumper or the rub rail, provided the space under the emergency exit door or emergency exit window is not adequate to accommodate the tape or provided rivets are present that prohibit the tape from being applied properly. (49 CFR 571.217)

REJECT VEHICLE IF:

Paint does not meet color requirements or is in poor condition (i.e., faded, peeling or rusted). MFSAB is painted national school bus glossy yellow.

- c) PEDALS (ACCELERATOR, SERVICE BRAKE, CLUTCH, EMERGENCY/
PARKING BRAKE AND BRAKE)

PROCEDURES/SPECIFICATIONS:

Minimum $1\frac{1}{2}$ ~~inches (3.81 cm)~~^{inch} clearance with pedal fully depressed. All pedals must be covered with rigid nonslip material.

Manufactured pedal~~Pedal~~ extensions are allowed. They must be securely attached and covered with rigid nonslip material. Homemade pedal extensions are prohibited.

REJECT VEHICLE IF:

Pedals do not meet clearance requirements or are not covered with rigid nonslip material. Manufactured pedal~~Pedal~~ extensions are not securely attached. Homemade pedal extensions are present.

- d) PROJECTIONS

- 1) Exterior

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

PROCEDURES/SPECIFICATIONS:

Entire rear and bumper area of MFSABbus must be nonhitchable.

AGENCY NOTE: "Nonhitchable" is defined as the rear of the MFSABbus being designed and maintained to prevent or discourage riding or grasping rear of MFSABbus so as to "hitch" rides.

REJECT VEHICLE IF:

Exterior projections do not comply with nonhitchable requirements.

2) Interior

PROCEDURES/SPECIFICATIONS:

Interior shall be free of all dangerous projections.

Optional equipment (e.g., video camera) that is located in the bulkhead area of the MFSABbus and not flush with the interior walls must meet the following requirements:

- A) Must not interfere with occupants entering or exiting the MFSABbus.
- B) Must not be located in driver's head impact zone.
- C) Must not obstruct required lettering.

Additional projections (e.g., external speakers, air conditioners, overhead storage racks) located within 59 inches (149.86 cm) from the floor shall be padded to prevent injury. This includes inner lining of ceiling and walls.

~~Installation of book or luggage racks is not permissible.~~

Flush mounted speakers are exempt from padding requirements.

REJECT VEHICLE IF:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Optional equipment in bulkhead area does not meet requirements.

Remaining projections are not padded (e.g., external speakers).

~~Book or luggage racks are present.~~

e) RADIO SPEAKERS

Radio/stereo speakers cannot be located within four feet of the rearmost position of the driver's seat.

REJECT VEHICLE IF:

Speakers are located in the prohibited area or are not deactivated.

Exception: Two way radio speakers are exempt.

f) REFLECTORS

Two or more lamps or reflectors may be combined if the requirements for each lamp or reflector are met. (See 49 CFR 571.108-S6.3.)

1) Front

PROCEDURES/SPECIFICATIONS:

Two yellow or amber rigid or sheet type (tape) reflex reflectors shall be securely attached on the front of the body near the lower left and right hand corners. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

These front reflectors shall be located between 15 and 60 inches (38.1 cm and 152.4 cm) above the roadway at either fender, cowl, or body and installed so as to mark the outer edge of the maximum width of the MFSABbus. No part of the required reflecting material may be obscured by a lamp, mirror, bracket or any other portion of the MFSABbus.

No part of the required reflecting material may be more than 11.8 inches (29.97 cm)(300 mm) inboard of the outer edge of the nearest rub rail.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

The reflector may be any shape (e.g., square, rectangle, circle, oval, etc.). A rigid type reflex reflector may be any size if permanently marked either DOT, SAE A, or SAE J 594; otherwise, it shall display at least seven square inches of reflecting material (about 3 inch (7.62 cm) diameter if a solid circle).

A sheet type (tape) reflex reflector may conform to the surface on which it is installed but its forward projected reflecting area shall be at least eight square inches.

Exception: MFSABbuses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Missing or damaged reflective material; not located or positioned as required.

2) Left Side

PROCEDURES/SPECIFICATIONS:

One amber no more than 12 inches (30.48 cm) from the front and one red no more than 12 inches (30.48 cm) from the rear. Mounted at a height not less than 15 inches (38.10 cm) and not more than 60 inches (152.4 cm) above the surface of the road. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

On MFSABbuses more than 30 feet long (914.4 cm), one amber reflector must also be provided at or near midpoint between front and rear side reflector. (See 49 CFR 571.108.)

All reflectors must measure at least three inches (7.62 cm) in diameter.

REJECT VEHICLE IF:

Missing or damaged reflective material; not located or positioned as required.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

3) Right Side

PROCEDURES/SPECIFICATIONS:

One amber no more than 12 inches (30.48 cm) from the front and one red no more than 12 inches (30.48 cm) from the rear. Mounted at a height not less than 15 inches (38.1 cm) and not more than 60 inches (152.4 cm) above the surface of the road. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

On MFSABuses more than 30 feet long (914.4 cm), one amber reflector must also be provided at or near midpoint between front and rear side reflector. (See 49 CFR 571.108.)

All reflectors must measure at least three inches (7.62 cm) in diameter.

REJECT VEHICLE IF:

Missing or damaged reflective material; not located or positioned as required.

4) Rear

PROCEDURES/SPECIFICATIONS:

Two red reflectors on rear body within 12 inches (30.48 cm) of lower right and lower left corners. (See Section 12-202 of the Illinois Vehicle Equipment Law.) Minimum three inches (7.62 cm) in diameter.

Exception: MFSABuses that measure less than 80 inches (203.2 cm) wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Missing or damaged reflective material; not located or positioned as required.

g) RUB RAILS

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

There shall be one rub rail, located approximately at seat level, that shall extend from the rear of the service entrance completely around the MFSABbus body without interruption, except at functioning doors or a rear engine compartment, to a point of curvature near the front of the body on the left side.

There shall be one rub rail on each side, located approximately at the floor line, that shall extend over the same longitudinal distance as the rub rail located at the seat level.

More than two rub rails may be installed on sides and rear of the MFSABbus.

Rub rails of longitudinally corrugated or ribbed steel at least 3.9 inches (9.91 cm)~~(100 mm)~~ wide shall be fixed on the outside of the MFSABbus.

Exceptions:

- 1) Rub rail need not extend across wheel housing.
- 2) Rub rail may terminate at the point of curvature at the right and left rear corners of the body.

REJECT VEHICLE IF:

Rub rails are missing; are not firmly attached; ~~incorrect color~~; or there is an incorrect number of rails.

(Source: Amended at 37 Ill. Reg. 6823, effective May 3, 2013)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Section 436.APPENDIX I Seat Belts through Steering System

a) SEAT BELTS

PROCEDURES/SPECIFICATIONS:

Each MFSAB shall be equipped with a retractable lap belt assembly for the driver's seat. (See Section 12-807 of the Illinois Vehicle Equipment Law.) A shoulder harness is optional. Belt material, buckle, tongue, etc., of each driver's belt shall remain above floor when not in use.

Passenger safety belts that meet 49 CFR 571.222 are required on any MFSAB that has a GVWR of 10,000 pounds or less. Passenger safety belts are optional on any MFSAB that has a GVWR of more than 10,000 pounds. However, optional safety belts installed on any MFSAB are required to meet 49 CFR 571.222. At all times, each seat belt shall be readily available for quick and easy use. Retractors must be the emergency locking type. Each belt assembly shall be clean.

REJECT VEHICLE IF:

Seat belts are not secured, not adjustable, cracked, broken, frayed, torn or dirty. Retractor or buckle does not operate properly.

b) SEAT, DRIVER'S

PROCEDURES/SPECIFICATIONS:

The driver's seat shall be rigidly positioned and have a forward and backward adjustment without the use of tools or other nonattached devices.

Seat padding and covering shall be in good condition (i.e., free from holes and tears). Seat cushions shall be securely fastened to the seat frame.

Optional: MFSABBus may be equipped with a durable safety belt webbing cutter with a full-width handgrip and a protected, replaceable, or non-corrodible blade.

The webbing cutter cannot be mounted on the dash but must be mounted in a location accessible to the seated driver in an easily detachable manner.

REJECT VEHICLE IF:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Driver's seat is not securely anchored to floor; in poor condition; adjustment mechanism does not function properly. Optional webbing cutter does not meet requirements.

c) SEATS, PASSENGER

PROCEDURES/SPECIFICATIONS:

Each seat ~~and each barrier are~~ required to conform to FMVSS 222 (49 CFR 571.222).

~~Each seat shall be constructed so that the shortest straight line distance from the top of the seat back to the empty seat cushion is 28" when measured near the transverse center of the seat at the front of the seat back and along the angle of rearward inclination of the seat back. Since the height of a seat back is difficult to measure precisely on a repeated basis, a measurement of 27.5" or more is deemed acceptable.~~

All seats shall be forward facing and securely fastened to part or parts of ~~MFSABbus~~ that support them. No ~~MFSABbus~~ shall be equipped with jump seats or portable seats (does not include child restraint systems). The center-to-center seat spacing shall be no more than 24 inches (60.96 cm), measured from the seating reference point to the seat back or guard barrier in front of the seat. Padding and covering shall be of fire resistant material. Minimum 36 inch (91.44 cm) headroom for sitting position above top of undepressed cushion line on all seats (measured vertically not more than seven inches from side wall at cushion height and at front and rear center of cushion). Backs of all seats of similar size shall be of the same width at top and the same height from floor and shall slant at the same angle with the floor. The top and side rails and seat backs shall be padded to cushion level. Seat padding and covering shall be in good condition (i.e., free from holes and tears). Seat cushions shall be securely fastened to the seat frame. (49 CFR 571.222)

Seat bottom cushions must also be equipped with a self-latching mechanism that is designed to flip up or be removable without tools.

REJECT VEHICLE IF:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Passenger seats do not meet requirements; are not firmly attached to body; seat frames are broken; cushions not firmly attached; padding and covering are not fire resistant. Padding or covering is loose, in poor condition, or missing; seats are torn or have holes; minimum seat dimensions or seat spacing is not in compliance.

d) STEERING SYSTEM

1) Exterior

A) King Pins~~Kingpins~~

PROCEDURES/SPECIFICATIONS:

Raise vehicle so as to unload king pins~~kingpins~~ (brakes should be applied to eliminate wheel bearing looseness). Either grasp wheel at top and bottom or use a bar for leverage. Attempt to rock wheel in and out. Check movement at extreme top or bottom of tire. If movement exists, place a dial indicator, tape measure, or a fixed device at the wheel and measure amount of movement.

Place leverage bar under tire. Raise bar to check for vertical movement between spindle and support axle.

REJECT VEHICLE IF:

Wheel bearing movement exceeds $\frac{1}{4}$ inch or king pin~~kingpin~~ movement exceeds:

<u>Wheel Size (in inches)</u>	<u>Max. Allowed (in inches)</u>
16 or less	$\frac{1}{4}$
16.1 to 18	$\frac{3}{8}$
over 18	$\frac{1}{2}$

B) Linkage

PROCEDURES/SPECIFICATIONS:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

For MFSABbuses with single "I" beam or tube type front axle, hoist MFSABbus under axle. For MFSABbuses with twin "I" beam type front axles or with "A frame" control arms, each axle or arm must be hoisted independently so as to load the ball joints. Grasp front and rear of tire and attempt to shake assembly right and left to determine linkage looseness. Measure movement of wheel.

Inspect for damage to or looseness in the following linkage components:

- i) Ball Joints (Grasp wheel at top and bottom to attempt to rock wheel in and out. Check movement at extreme top or bottom of tire.)
- ii) Cotter Pins
- iii) Drag Link
- iv) Idler Arm
- v) Pitman Arm
- vi) Steering Box
- vii) Tie Rod
- viii) Tie Rod Ends

REJECT VEHICLE IF:

Measurement is found to be in excess of:

Rim Diameter (in inches)	Max. Allowable Movement (in inches)
16 or less	1/4
17 and 18	3/8
over 18	1/2

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Any linkage component is bent, welded, loose, insecurely mounted or missing.

C) Power Steering

PROCEDURES/SPECIFICATIONS:

Manually and visually inspect:

- i) Belts
- ii) Cylinders
- iii) Fluid Level
- iv) Hoses
- v) Mounting Brackets
- vi) Power Assist
- vii) Pump

REJECT VEHICLE IF:

Steering components are:

- i) Loose, frayed, cracked, missing; incorrect belts
- ii) Loose and/or leaking
- iii) Low fluid level
- iv) Cracked, leaking, rubbed by moving parts
- v) Cracked, loose or broken
- vi) No assist is evident

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

vii) Loose, leaking

D) Toe-In/Toe-Out

PROCEDURES/SPECIFICATIONS:

With wheels held in a straight ahead position, drive vehicle slowly over the approved drive-on side slip indicator.

Excessive toe-in or toe-out is a general indication that a complete check should be made of all front wheel alignment factors (caster, camber, steering axis inclination).

REJECT VEHICLE IF:

More than 30 feet (914.4 cm) per mile on the approved side slip indicator.

E) Wheel Bearings

PROCEDURES/SPECIFICATIONS:

With the front end of the vehicle lifted so as to load any ball joints, grasp the front tire top and bottom, rock it in and out. Record movement. To verify that any looseness detected is in the wheel bearing, notice the relative movement between the brake drum or disc and the backing plate or splash shield.

AGENCY NOTE: Wheel bearing play can be eliminated by applying service brakes.

REJECT VEHICLE IF:

Relative movement between drum and backing plate, measured at tire, is $\frac{1}{4}$ inch (.635 cm) or more.

2) Interior

A) Column

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

PROCEDURES/SPECIFICATIONS:

Inspect to determine that column support bracket is properly tightened and all bolts are present.

REJECT VEHICLE IF:

Column support bracket is not properly tightened or bolts are missing.

B) Lash

PROCEDURES/SPECIFICATIONS:

With road wheels in straight ahead position, turn steering wheel until a turning movement can be observed at the left road wheel. Slowly reverse steering wheel motion and measure lash.

REJECT VEHICLE IF:

Lash exceeds following acceptable limits:

Steering Wheel Max. Diameter (inches)	Acceptable Lash (inches) Measured at Max. Circumference
16 or less	2
18	2 $\frac{1}{4}$
20	2 $\frac{1}{2}$
22	2 $\frac{3}{4}$

C) Shaft

PROCEDURES/SPECIFICATIONS:

Grasp steering wheel with both hands and attempt to move shaft up and down.

REJECT VEHICLE IF:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Steering shaft moves up and down.

~~AGENCY NOTE: Steering shafts on International Navistar vehicles will move up and down but must be within manufacturer's tolerances.~~

D) Steering Wheel

PROCEDURES/SPECIFICATIONS:

Inspect steering wheel condition.

REJECT VEHICLE IF:

Steering wheel is damaged. Any spokes are missing or reinforcement ring is exposed.

E) Travel

PROCEDURES/SPECIFICATIONS:

Turn steering wheel through a full right and left turn checking for binding, jamming and complete travel left and right.

REJECT VEHICLE IF:

Binding or jamming is present. Does not complete full turn from left to right. Tire rubs on fender or frame during turn.

(Source: Amended at 37 Ill. Reg. 6823, effective May 3, 2013)

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: 125.144 Proposed Action: Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute that Requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act [225 ILCS 650]; the Federal Meat Inspection Act (21 USC 661); the Federal Poultry Products Inspection Act (21 USC 454); and 78 FR 14636 (2013).
- 5) Statutory Authority: The Meat and Poultry Inspection Act [225 ILCS 650]
- 6) Effective Date: May 6, 2013
- 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 Federal Poultry Products Inspection Act and as required by Section 16 of the Meat and Poultry Inspection Act, the Department is adopting amendments to the federal meat and poultry products in this Part.

The Food Safety and Inspection Service (FSIS) is amending the Federal meat and poultry products inspection regulations to remove sodium benzoate, sodium propionate and benzoic acid from the list of substances that the regulations prohibit for use in meat or poultry products. New uses of these substances in meat or poultry products will continue to be approved by the Food and Drug Administration (FDA) for safety and by FSIS for suitability. FSIS will add approved uses of these substances to the list of approved substances contained in the Agency's directive system.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed with the Index Department: May 3, 2013
- 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.

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT

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

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

217/785-5713
217/785-4505 (fax)

The full text of the Preemptory 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 ACT

PART 125
MEAT AND POULTRY INSPECTION ACT

SUBPART 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
125.148	Quantity of Contents Labeling and Procedures and Requirements for Accurate Weights

SUBPART B: MEAT INSPECTION

Section	
125.150	Livestock and Meat Products Entering Official Establishments

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT

125.160	Equine and Equine Products
125.170	Facilities for Inspection
125.180	Sanitation (Repealed)
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].

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT

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 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,

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT

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, 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

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT

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; 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; preemptory amendment at 31 Ill. Reg. 5149, effective March 16, 2007; preemptory amendment at 31 Ill. Reg. 12624, effective August 20, 2007; preemptory amendment at 31 Ill. Reg. 16763, effective December 10, 2007; preemptory amendment at 32 Ill. Reg. 590, effective January 1, 2008; preemptory amendment at 32 Ill. Reg. 17831, effective October 30, 2008; preemptory amendment at 33 Ill. Reg. 1230, effective January 5, 2009; preemptory amendment at 33 Ill. Reg. 6338, effective April 17, 2009; preemptory amendment at 33 Ill. Reg. 12040, effective August 5, 2009; preemptory amendment at 35 Ill. Reg. 571, effective December 22, 2010; preemptory amendment at 35 Ill. Reg. 1802, effective January 14, 2011; preemptory amendment at 35 Ill. Reg. 19553, effective January 1, 2012; preemptory amendment at 36 Ill. Reg. 9264, effective June 6, 2012; amended at 36 Ill. Reg. 14664, effective October 1, 2012; preemptory amendment at 36 Ill. Reg. 17930, effective December 21, 2012; preemptory amendment at 37 Ill. Reg. 875, effective January 28, 2013; preemptory amendment at 37 Ill. Reg. 6870, effective May 6, 2013.

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

Section 125.144 Preparation and Processing Operations

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT

The Department incorporates by reference 9 CFR 424 (2004; 76 FR 82077, effective December 30, 2011; [78 FR 14636, effective May 6, 2013](#)).

(Source: Amended by peremptory rulemaking at 37 Ill. Reg. 6870, effective May 6, 2013)

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 April 30, 2013 through May 6, 2013. The rulemakings are scheduled for review at the Committee's June 11, 2013 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
6/13/13	<u>Illinois Commerce Commission</u> , Certification for the Installation, Maintenance or Repair of Electric Vehicle Charging Stations (83 Ill. Adm. Code 469)	11/26/12 36 Ill. Reg. 16421	6/11/13
6/14/13	<u>Department of Public Health</u> , Control of Communicable Diseases Code (77 Ill. Adm. Code 690)	11/19/12 36 Ill. Reg. 15918	6/11/13
6/15/13	<u>Department of Healthcare and Family Services</u> , Hospital Services (89 Ill. Adm. Code 148)	2/1/13 37 Ill. Reg. 1018	6/11/13
6/15/13	<u>Department of Public Health</u> , Emergency Medical Services and Trauma Center Code (77 Ill. Adm. Code 515)	2/15/13 37 Ill. Reg. 1850	6/11/13

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF AGENCY RESPONSE TO THE OBJECTION OF THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill Adm. Code 140
- 3) Section Number: 140.462 Proposed Action:
Accept
- 4) Date Originally Published in the Illinois Register: January 4, 2013; 37 Ill. Reg. 253
- 5) JCAR Statement of Objection Published in the Illinois Register: February 22, 2013; 37 Ill. Reg. 2517
- 6) Summary of Action Taken by the Agency:

At its meeting on February 6, 2013, the Joint Committee on Administrative Rules objected to the Department of Healthcare and Family Services establishing an effective date for its emergency rule titled Medical Payment (89 Ill. Adm. Code 140; 37 Ill. Reg. 253 - 1/4/13) that was outside the 9 day window allowed by Section 5-45 of the Illinois Administrative Procedure Act [5 ILCS 100], which states that an emergency rule can become effective immediately upon filing or on a stated date less than 10 days thereafter. HFS filed this emergency rule with the Secretary of State more than 9 days prior to its effective date.

Agency Response: In the future, the Department will use its best efforts to file emergency rules within 9 days prior to its effective date.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF AGENCY RESPONSE TO THE OBJECTION OF THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Hospital Reimbursement Changes
- 2) Code Citation: 89 Ill Adm. Code 152
- 3) Section Number: 152.300 Proposed Action:
Accept
- 4) Date Originally Published in the Illinois Register: January 4, 2013; 37 Ill. Reg. 282
- 5) JCAR Statement of Objection Published in the Illinois Register: March 22, 2013; 37 Ill. Reg. 3441
- 6) Summary of Action Taken by the Agency:

At its meeting on February 6, 2013, the Joint Committee on Administrative Rules objected to the Department of Healthcare and Family Services establishing an effective date for its emergency rule titled Medical Payment (89 Ill. Adm. Code 152; 37 Ill. Reg. 282 - 1/4/13) that was outside the 9 day window allowed by Section 5-45 of the Illinois Administrative Procedure Act [5 ILCS 100], which states that an emergency rule can become effective immediately upon filing or on a stated date less than 10 days thereafter. HFS filed this emergency rule with the Secretary of State more than 9 days prior to its effective date.

Agency Response: In the future, the Department will use its best efforts to file emergency rules within 9 days prior to its effective date.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF AGENCY RESPONSE TO A RECOMMENDATION OF THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: AIDS Drug Assistance Program
- 2) Code Citation: 77 Ill. Adm. Code 692
- 3) Section Number: 692.Appendix A
- 4) Date Notice of Peremptory Amendments Published in the Illinois Register: March 1, 2013; 37 Ill. Reg. 2563
- 5) Date JCAR Statement of Recommendation Published in the Register: May 4, 2013; 37 Ill. Reg. 5989
- 6) Summary of Action Taken by the Agency:

The Joint Committee on Administrative Rules recommended that the Department take more care in the future to use peremptory rulemaking only in those instances specifically authorized by Section 5-50 of the Illinois Administrative Procedure Act.

The Illinois Department of Public Health agrees to take more care in the future to use peremptory rulemaking only in those instances specifically authorized by Section 5-50 of the Illinois Administrative Procedure Act.

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Note* This is to correct the first Notice of Public Information published in Volume 37, Issue 18 of the Illinois Register, dated May 3, 2013.

Pursuant to 35 Ill. Adm. Code 302.595 and 302.669, the following water quality criteria have been derived as listed. This listing updates revisions to existing criteria for the period January 1, 2013, through March 31, 2013.

A cumulative listing of criteria as of July 31, 1993 was published in 17 Ill. Reg. 18904, October 29, 1993. Listings of waterbodies for which water quality criteria were used during subsequent three month periods were published in 18 Ill. Reg. 318, January 7, 1994; 18 Ill. Reg. 4457, March 18, 1994; 18 Ill. Reg. 8734, June 10, 1994; 18 Ill. Reg. 14166, September 9, 1994; 18 Ill. Reg. 17770, December 9, 1994; 19 Ill. Reg. 3563, March 17, 1995; 19 Ill. Reg. 7270, May 26, 1995; 19 Ill. Reg. 12527, September 1, 1995; 20 Ill. Reg. 649, January 5, 1996; 20 Ill. Reg. 4829, March 22, 1996; 20 Ill. Reg. 7549, May 30, 1996; 20 Ill. Reg. 12278, September 6, 1996; 20 Ill. Reg. 15619, December 6, 1996; 21 Ill. Reg. 3761, March 21, 1997; 21 Ill. Reg. 7554, June 13, 1997; 21 Ill. Reg. 12695, September 12, 1997; 21 Ill. Reg. 16193, December 12, 1997; 22 Ill. Reg. 5131, March 13, 1998; 22 Ill. Reg. 10689, June 12, 1998; 22 Ill. Reg. 16376, September 11, 1998; 22 Ill. Reg. 22423, December 28, 1998; 23 Ill. Reg. 3102, March 12, 1999; 23 Ill. Reg. 6979, June 11, 1999; 23 Ill. Reg. 11774, September 24, 1999; 23 Ill. Reg. 14772, December 27, 1999; 24 Ill. Reg. 4251, March 17, 2000; 24 Ill. Reg. 8146, June 9, 2000; 24 Ill. Reg. 14428, September 29, 2000; 25 Ill. Reg. 270, January 5, 2001; 25 Ill. Reg. 4049, March 16, 2001; 25 Ill. Reg. 7367, June 8, 2001; 25 Ill. Reg. 12186, September 21, 2001; 25 Ill. Reg. 16175, December 14, 2001; 26 Ill. Reg. 4974, March 29, 2002; 26 Ill. Reg. 13370, September 6, 2002; 27 Ill. Reg. 1736, January 31, 2003; 27 Ill. Reg. 7350, April 18, 2003; 27 Ill. Reg. 17128, November 7, 2003; 28 Ill. Reg. 5038, March 19, 2004; 28 Ill. Reg. 8363, June 11, 2004; 28 Ill. Reg. 12943, September 17, 2004; 29 Ill. Reg. 1449, January 21, 2005; 29 Ill. Reg. 7239, May 20, 2005; 29 Ill. Reg. 12672, August 12, 2005; 29 Ill. Reg. 18963, November 18, 2005; 30 Ill. Reg. 5458, March 17, 2006; 30 Ill. Reg. 9195, May 12, 2006 and 30 Ill. Reg. 14377, September 1, 2006; 31 Ill. Reg. 4941, March 23, 2007; 31 Ill. Reg. 7477, May 25, 2007; 31 Ill. Reg. 13233, September 14, 2007; 31 Ill. Reg. 15875, November 26, 2007; 32 Ill. Reg. 4271, March 21, 2008; 32 Ill. Reg. 8454, June 6, 2008; 32 Ill. Reg. 13595, August 15, 2008; 32 Ill. Reg. 19961, December 19, 2008; 33 Ill. Reg. 3683, February 27, 2009; 33 Ill. Reg. 9191, June 26, 2009; 33 Ill. Reg. 13526, September 25, 2009; 33 Ill. Reg. 17178, December 18, 2009; 34 Ill. Reg. 6546, May 7, 2010; 34 Ill. Reg. 7811, June 4, 2010; 34 Ill. Reg. 13565, September 17, 2010; 34 Ill. Reg. 17490, November 12, 2010; 35 Ill. Reg. 3618, February 25, 2011; 35 Ill. Reg. 8574, June 3, 2011; 35 Ill. Reg. 12835, July 29, 2011; 35 Ill. Reg. 18973, November 14, 2011; 36 Ill. Reg. 3977, March 9, 2012; 36 Ill. Reg. 8521, June 8, 2012; 36 Ill. Reg. 13326, August 17, 2012; 36 Ill. Reg. 16406, November 16, 2012, and 37 Ill. Reg. 2735, March 8, 2013.

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Aquatic life and human health criteria for General Use (35 Ill. Adm. Code 303.201) and Lake Michigan Basin (35 Ill. Adm. Code 303.443) waters are listed below. General Use human health criteria are derived for protection of primary contact waters, criteria derived for waters not supportive of primary contact recreation are specified, where applicable. General Use and Lake Michigan Basin waters used as Public and Food Processing Water Supplies (35 Ill. Adm. Code 303.202) are subject to more stringent human health criteria as specified in their respective derivation procedures (35 Ill. Adm. Code 302.648 and 302.657 and 35 Ill. Adm. Code 302.585 and 302.590, respectively). Newly derived criteria or criteria used in NPDES permitting this quarter are highlighted in bold print.

General Use Criteria

Chemical: Acenaphthene	CAS #83-32-9
Acute criterion: 120 ug/l	Chronic criterion: 62 ug/l
Date criteria derived: November 14, 1991; revised February 1999	
Applicable waterbodies: Not used during this period.	
Chemical: Acenaphthylene	CAS # 208-96-8
Acute criterion: 190 ug/L	Chronic criterion: 15 ug/L
Date criteria derived: March 1, 1998	
Applicable waterbodies: Not used during this period.	
Chemical: Acetochlor	CAS #34256-82-1
Acute criterion: 150 ug/l	Chronic criterion: 12 ug/l
Date criteria derived: September 26, 2007	
Applicable waterbodies: Not used during this period.	
Chemical: Acetone	CAS #67-64-1
Acute criterion: 1,500 mg/l	Chronic criterion: 120 mg/l
Date criteria derived: May 25, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: Acetonitrile	CAS #75-05-8
Acute criterion: 380 mg/l	Chronic criterion: 30 mg/l
Human health criterion (HTC): non-primary contact, 20 mg/L	
Date criteria derived: December 7, 1993; revised January 23, 2007	
Applicable waterbodies: Not used during this period.	
Chemical: Acrolein	CAS #107-02-8
Acute criterion: 2.7 µg/l	Chronic criterion: 0.22 µg/l

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria calculated: February 1999; reviewed January 2008 Applicable waterbodies: Not used during this period.	
Chemical: Acrylonitrile	CAS #107-13-4
Acute criterion: 910 ug/l	Chronic criterion: 73 ug/l
Human health criterion (HNC): 0.21 ug/l Date criteria derived: November 13, 1991 Applicable waterbodies: Not used during this period.	
Chemical: Aniline	CAS #62-53-3
Acute criterion: 120 µg/l	Chronic criterion: 15 µg/l
Date criteria calculated: July 24, 1998; reviewed April 15, 2009 Applicable waterbodies: Not used during this period.	
Chemical: Anthracene	CAS #120-12-7
Acute criterion: 0.66 ug/L	Chronic Criterion: 0.53 ug/L
Human health criterion (HTC): 35 mg/l Date criteria derived: August 18, 1993, revised May 30, 2007 Applicable waterbodies: Not used during this period.	
Chemical: Antimony	CAS #7440-36-0
Acute criterion: 1,200 ug/L	Chronic Criterion: 320 ug/L
Human health criterion (HTC): 12,000 ug/l Non-primary contact: 1,200 ug/l Public and food processing water supply: 6 ug/l Date criteria derived: September 29, 2008 Applicable waterbodies: Not used during this period.	
Chemical: Atrazine	CAS #1912-24-9
Acute criterion: 82 ug/l	Chronic criterion: 9.0 ug/L
Date criteria derived: May 2, 2005 Applicable waterbodies: Not used during this period.	
Chemical: Benzo(a)anthracene	CAS #56-55-3
Human health criterion (HNC): 0.16 ug/l Date criteria derived: August 10, 1993; revised February 1999 Applicable waterbodies: Not used during this period.	
Chemical: Benzo(a)pyrene	CAS #50-32-8
Human health criterion (HNC): 0.016 ug/l Date criteria derived: August 10, 1993; revised February 1999 Applicable waterbodies: Not used during this period.	
Chemical: Benzo(b)fluoranthene	CAS # 205-99-2

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

<p>Human health criterion (HNC): 0.16 ug/l Date criteria derived: August 10, 1993; revised February 1999 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Benzo(k)fluoranthene CAS #207-08-9 Human health criterion (HNC): 1.6 ug/l Date criteria derived: August 10, 1993; revised February 1999 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Bis(2-ethylhexyl)phthalate CAS #117-81-7 Human health criterion (HNC): 1.9 ug/l Date criteria derived: February, 1999; reviewed: June 2009 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Bromodichloromethane CAS #75-27-4 Acute criterion: 10 ug/l Chronic criterion: 1 ug/l Human health criterion (HNC): 13.3 ug/l Non-primary contact: 14.9 ug/l Public and food processing water supply: 0.54 ug/l Date criteria derived: February 1, 1999, revised March 28, 2013 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Carbon tetrachloride CAS #56-23-5 Acute criterion: 3,500 ug/l Chronic criterion: 280 ug/l Human health criterion (HNC): 1.4 ug/l Date criteria derived: June 18, 1993 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: 2-Chloroaniline CAS #95-51-2 Acute criterion: 75 ug/l Chronic criterion: 6 ug/l Date criteria derived: June 21, 1996; reviewed April 15, 2009 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: 4-Chloroaniline CAS #106-47-8 Acute criterion: 2.4 ug/l Date criteria derived: February 26, 1992; reviewed April 15, 2009 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Chlorobenzene CAS #108-90-7 Acute criterion: 990 ug/l Chronic criterion: 79 ug/l Date criteria derived: December 11, 1991 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Chlorodibromomethane CAS #124-48-1</p>

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

<p>Human health criterion (HNC): 9.8 ug/l Non-primary contact: 11.0 ug/l Public and food processing water supply: 0.4 ug/l Date criteria derived: February 1, 1999, revised March 28, 2013 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Chloroethane CAS #75-00-3 Acute criterion: 13 mg/l Chronic criterion: 1 mg/l Date criteria derived: December 11, 1991 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Chloromethane CAS #74-87-3 Acute criterion: 16 mg/l Chronic criterion: 1.3 mg/l Date criteria derived: December 11, 1991 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Chloroform CAS #67-66-3 Acute criterion: 1,900 ug/l Chronic criterion: 150 ug/l Human health criterion (HNC): 130 ug/l Date criteria derived: October 26, 1992 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Chrysene CAS #218-01-9 Human health criterion (HNC): 16 ug/l Date criteria derived: August 10, 1993; revised February 1999 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: 2,4-D CAS #94-75-7 Acute criterion: 100 ug/l Chronic criterion: 8 ug/l Date criteria derived: July 1, 1993; reviewed April 15, 2009 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Dibenz(a,h)anthracene CAS #53-70-3 Human health criterion (HNC): 0.016 ug/l Date criteria derived : February, 1999, reviewed June 2007 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: 1,2-dichlorobenzene CAS #95-50-1 Acute criterion: 210 ug/l Chronic criterion: 17 ug/l Date criteria derived: December 1, 1993 Applicable waterbodies: Not used during this period.</p>
<p>Chemical: 1,3-dichlorobenzene CAS #541-73-1 Acute criterion: 500 ug/l Chronic criterion: 200 ug/l</p>

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived: July 31, 1991 Applicable waterbodies: Not used during this period.	
Chemical: 1,1-dichloroethane	CAS #75-34-3
Acute criterion: 20 mg/l	Chronic criterion: 2 mg/l
Date criteria derived: July 31, 1991 Applicable waterbodies: Not used during this period.	
Chemical: 1,2-dichloroethane	CAS #107-06-2
Acute criterion: 25 mg/l	Chronic criterion: 4.5 mg/l
Human health criterion (HNC): 23 ug/l Date criteria derived: March 19, 1992 Applicable waterbodies: Not used during this period.	
Chemical: 1,1-dichloroethylene	CAS #75-35-4
Acute criterion: 3,000 ug/l	Chronic criterion: 240 ug/l
Human health criterion (HTC): 110 ug/l Non-primary contact: 120 ug/l Public and food processing water supply: 6.6 ug/l Date criteria derived: March 20, 1992; revised May 04, 2009 Applicable waterbodies: Not used during this period.	
Chemical: 1,2-dichloroethylene	CAS #540-59-0
Acute criterion: 14 mg/l	Chronic criterion: 1.1 mg/l
Date criteria derived: November 18, 2008 Applicable waterbodies: Not used during this period.	
Chemical: trans-1,2-dichloroethylene	CAS #156-60-5
Human health criterion (HTC): 34 mg/l Date criteria derived: February 1, 1999; reviewed December 2, 2010 Applicable waterbodies: Not used during this period.	
Chemical: 2,4-dichlorophenol	CAS #120-83-2
Acute criterion: 630 ug/l	Chronic criterion: 83 ug/l
Date criteria derived: November 14, 1991 Applicable waterbodies: Not used during this period.	
Chemical: 1,2-dichloropropane	CAS #78-87-5
Acute criterion: 4,800 ug/l	Chronic criterion: 380 ug/l
Date criteria derived: December 7, 1993 Applicable waterbodies: Not used during this period.	
Chemical: 1,3-dichloropropylene	CAS #542-75-6
Acute criterion: 99 ug/l	Chronic criterion: 7.9 ug/l

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived: November 13, 1991 Applicable waterbodies: Not used during this period.	
Chemical: 2,4-dimethyl phenol	CAS #105-67-9
Acute criterion: 740 ug/l	Chronic criterion: 220 ug/l
Date criteria derived: October 26, 1992 Applicable waterbodies: Not used during this period.	
Chemical: 4,6-dinitro-o-cresol = 2-methyl-4,6-dinitrophenol	CAS #534-52-1
Acute criterion: 29 ug/l	Chronic criterion: 2.3 ug/l
Date criteria derived: November 14, 1991 Applicable waterbodies: Not used during this period.	
Chemical: 2,4-dinitrophenol	CAS #51-28-5
Acute criterion: 85 ug/l	Chronic criterion: 4.1 ug/l
Date criteria derived: December 1, 1993 Applicable waterbodies: Not used during this period.	
Chemical: 2,6-dinitrotoluene	CAS #606-20-2
Acute criterion: 1,900 ug/l	Chronic criterion: 150 ug/l
Date criteria derived: February 14, 1992 Applicable waterbodies: Not used during this period.	
Chemical: Diquat	CAS #85-00-7
Acute criterion: 990 ug/l	Chronic criterion: 80 ug/l
Date criteria derived: January 30, 1996 Applicable waterbodies: Not used during this period.	
Chemical: Ethyl mercaptan (ethanethiol)	CAS #75-08-1
Acute criterion: 17 ug/l	Chronic criterion: 2 ug/l
Date criteria derived: April 8, 2002 Applicable waterbodies: Not used during this period.	
Chemical: Fluoranthene	CAS #206-44-0
Acute criterion: 4.3 ug/L	Chronic Criterion: 1.8 ug/L
Human health criterion (HTC): 120 ug/l Date criteria derived: August 10, 1993; revised June 6, 2007 (Acute/Chronic) Applicable waterbodies: Not used during this period.	
Chemical: Fluorene	CAS #86-73-7
Acute criterion: 59 ug/L	Chronic Criterion: 16 ug/L
Date criteria derived: June 6, 2007 Applicable waterbodies: Not used during this period.	
Chemical: Formaldehyde	CAS #50-00-0

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Acute criterion: 4.9 mg/l	Chronic criterion: 0.39 mg/l
Date criteria derived: January 19, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: Hexachlorobenzene	CAS #118-74-1
Human health criterion (HNC): 0.00025 ug/l	
Date criteria derived: November 15, 1991	
Applicable waterbodies: Not used during this period.	
Chemical: Hexachlorobutadiene	CAS #87-68-3
Acute criterion: 35 ug/l	Chronic criterion: 2.8 ug/l
Date criteria derived: March 23, 1992	
Applicable waterbodies: Not used during this period.	
Chemical: Hexachloroethane	CAS #67-72-1
Acute criterion: 380 ug/l	Chronic criterion: 31 ug/l
Human health criterion (HNC): 2.9 ug/l	
Date criteria derived: November 15, 1991	
Applicable waterbodies: Not used during this period.	
Chemical: n-Hexane	CAS #110-54-3
Acute criterion: 250 ug/l	Chronic criterion: 20 ug/l
Date criteria derived: April 8, 2002	
Applicable waterbodies: Not used during this period.	
Chemical: Indeno(1,2,3-cd)pyrene	CAS #193-39-5
Human health criterion (HNC): 0.16 ug/l	
Date criteria calculated: February, 1992, reviewed June 2007	
Applicable waterbodies: Not used during this period.	
Chemical: Isobutyl alcohol = 2-methyl-1-propanol	CAS #78-83-1
Acute criterion: 430 mg/l	Chronic criterion: 35 mg/l
Date criteria derived: December 1, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: Methylene chloride	CAS #75-09-2
Acute criterion: 17 mg/l	Chronic criterion: 1.4 mg/l
Human health criterion (HNC): 330 ug/l	
Non-primary contact: 490 ug/l	
Public and food processing water supply: 4.6 ug/l	
Date criteria derived: January 21, 1992; revised November 25, 2008	
Applicable waterbodies: Not used during this period.	
Chemical: Methyl ethyl ketone	CAS #78-93-3

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Acute criterion: 320 mg/l Date criteria derived: July 1, 1992 Applicable waterbodies: Not used during this period.	Chronic criterion: 26 mg/l
Chemical: 4-methyl-2-pentanone Acute criterion: 46 mg/l Date criteria derived: January 13, 1992 Applicable waterbodies: Not used during this period.	CAS #108-10-1 Chronic criterion: 1.4 mg/l
Chemical: 2-methyl phenol Acute criterion: 4.7 mg/l Date criteria derived: November 8, 1993 Applicable waterbodies: Not used during this period.	CAS #95-48-7 Chronic criterion: 0.37 mg/l
Chemical: 4-methyl phenol Acute criterion: 670 ug/l Date criteria derived: January 13, 1992 Applicable waterbodies: Not used during this period.	CAS #106-44-5 Chronic criterion: 120 ug/l
Chemical: Methyl tert-butyl ether (MTBE) Acute criterion: 67 mg/l Date criteria derived: September 18, 1997 Applicable waterbodies: Not used during this period.	CAS #134-04-4 Chronic criterion: 5.4 mg/l
Chemical: Metolachlor Acute criterion: 380 ug/l Date criteria derived: February 25, 1992; revised October 1, 2007 Applicable waterbodies: Not used during this period.	CAS #51218-45-2 Chronic criterion: 30.4 ug/l
Chemical: Naphthalene Acute criterion: 510 ug/l Date criteria derived: November 7, 1991; revised February 1999 Applicable waterbodies: Not used during this period.	CAS #91-20-3 Chronic criterion: 68 ug/l
Chemical: 4-nitroaniline Acute criterion: 1.5 mg/l Date criteria derived: May 5, 1996 Applicable waterbodies: Not used during this period.	CAS #100-01-6 Chronic criterion: 0.12 mg/l
Chemical: Nitrobenzene Acute criterion: 15 mg/l Human health criterion (HTC): 0.52 mg/l Date criteria derived: February 14, 1992; revised February 1999 Applicable waterbodies: Not used during this period.	CAS #98-95-3 Chronic criterion: 8.0 mg/l

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: PCBs	CAS #1336-36-3
Human health criterion (HNC): 0.056 ng/l	
Non-primary contact: 0.056 ng/l	
Public and food processing water supply: 0.056 ng/l	
Date criteria derived: December 6, 2011	
Applicable waterbodies: Not used during this period.	
Chemical: Pentachlorophenol	CAS #87-86-5
Acute criterion: 20 ug/l	Chronic criterion: 13 ug/l
Date criteria derived: national criterion at pH of 7.8, September 1986	
Applicable waterbodies: Not used during this period.	
Chemical: Phenanthrene	CAS #85-01-8
Acute criterion: 46 ug/l	Chronic criterion: 3.7 ug/l
Date criteria derived: October 26, 1992	
Applicable waterbodies: Not used during this period.	
Chemical: Propylene	CAS #115-07-1
Acute criterion: 4.0 mg/l	Chronic criterion 0.40 mg/l
Date criteria derived: April 8, 2002	
Applicable waterbodies: Not used during this period.	
Chemical: Pyrene	CAS #120-00-0
Human health criterion (HTC): 3.5 mg/l	
Date criteria derived: December 22, 1992	
Applicable waterbodies: Not used during this period.	
Chemical: Styrene	CAS #120-42-5
Acute criterion: 2.5 mg/L	Chronic criterion: 0.2 mg/L
Date criteria derived: October 26, 1992; reviewed May 4, 2009	
Applicable waterbodies: Not used during this period.	
Chemical: Tetrachloroethylene	CAS #127-18-4
Acute criterion: 1,200 ug/l	Chronic criterion: 150 ug/l
Date criteria derived: March 23, 1992	
Applicable waterbodies: South Branch of the Kishwaukee River (East).	
Chemical: Tetrahydrofuran	CAS #109-99-9
Acute criterion: 220 mg/l	Chronic criterion: 17 mg/l
Date criteria derived: March 16, 1992	
Applicable waterbodies: Not used during this period.	
Chemical: Thallium	CAS #7440-28-0
Acute criterion: 86 ug/l	Chronic criterion: 11 ug/l

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

<p>Human health criterion (HTC): 3.0 ug/l Non-primary contact: 3.0 ug/l Public and food processing water supply: 1.2 ug/l Date criteria derived: October 22, 2007; revised November 18, 2008 Applicable waterbodies: Not used during this period.</p>	
<p>Chemical: 1,2,4-trichlorobenzene Acute criterion: 370 ug/l Date criteria derived: December 14, 1993; revised February 1999 Applicable waterbodies: Not used during this period.</p>	<p>CAS #120-82-1 Chronic criterion: 72 ug/l</p>
<p>Chemical: 1,1,1-trichloroethane Acute criterion: 4,900 ug/l Date criteria derived: October 26, 1992 Applicable waterbodies: South Branch of the Kishwaukee River (East).</p>	<p>CAS #71-55-6 Chronic criterion: 390 ug/l</p>
<p>Chemical: 1,1,2-trichloroethane Acute criterion: 19 mg/l Human health criterion (HNC): 12 ug/l Date criteria derived: December 13, 1993; revised February 1999 Applicable waterbodies: Not used during this period.</p>	<p>CAS #79-00-5 Chronic criterion: 4.4 mg/l</p>
<p>Chemical: Trichloroethylene Acute criterion: 12,000 ug/l Human health criterion (HNC): 25 ug/l Non-primary contact: 26 ug/l Public and food processing water supply: 2.5 ug/l Date criteria derived: October 23, 1992; revised November 18, 2008 Applicable waterbodies: South Branch of the Kishwaukee River (East).</p>	<p>CAS #79-01-6 Chronic criterion: 940 ug/l</p>
<p>Chemical: 1,2,4-trimethylbenzene Acute criterion: 360 ug/l Date criteria derived: July 15, 1998; reviewed December 2, 2010 Applicable waterbodies: Not used during this period.</p>	<p>CAS #95-63-6 Chronic criterion: 29 ug/l</p>
<p>Chemical: Vinyl chloride Acute criterion: 22 mg/l Human health criterion (HNC): 1.5 ug/l Non-primary contact: 2 ug/l Public and food processing water supply: 0.025 ug/l Date criteria derived: October 23, 1992; revised January 23, 2007; revised November 17, 2008</p>	<p>CAS #75-01-4 Chronic criterion: 1.7 mg/l</p>

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Applicable waterbodies: Not used during this period.
--

Lake Michigan Basin Criteria

<p>Chemical: Antimony CAS #7440-36-0</p> <p>Aquatic Life Criteria: Acute criterion: 470 ug/l Chronic criterion: 120 ug/l</p> <p>Date criteria derived: September 29, 2008</p> <p>Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Bis(2-ethylhexyl)phthalate CAS #117-81-7</p> <p>Aquatic Life Criteria: Acute criterion: 76 ug/l Chronic criterion: 17 ug/l</p> <p>Human Health Non-threshold Criteria: Public and food processing water supply: 2.8 ug/l Non-drinking water: 3.2 ug/l</p> <p>Date criteria derived: June 20, 2006</p> <p>Applicable waterbodies: Not used during this period.</p>
<p>Chemical: 1,2-dichloroethylene CAS #540-59-0</p> <p>Aquatic Life Criteria: Acute criterion: 8.8 mg/l Chronic criterion: 0.98 mg/l</p> <p>Date criteria derived: November 18, 2008</p> <p>Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Methylene Chloride CAS #75-09-2</p> <p>Aquatic Life Criteria: Acute criterion: 10,803 ug/l Chronic criterion: 1,200 ug/l</p> <p>Human Health Non-threshold Criteria: Public and food processing water supply: 47 ug/l Non-drinking water: 2,600 ug/l</p> <p>Date criteria derived: June 20, 2006</p> <p>Applicable waterbodies: Not used during this period.</p>
<p>Chemical: Thallium CAS #7440-28-0</p> <p>Aquatic Life Criteria: Acute criterion: 54 ug/l Chronic criterion: 15 ug/l</p> <p>Human Health Threshold Criteria: Public and food processing water supply: 1.3 ug/l</p>

ENVIRONMENTAL PROTECTION AGENCY

CORRECTION TO NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Non-drinking water: 3.7 ug/l	
Date criteria derived: June 20, 2006; revised November 18, 2008	
Applicable waterbodies: Not used during this period.	
Chemical: Vinyl Chloride	CAS #75-01-4
Aquatic Life Criteria:	
Acute criterion: 8,380 ug/l	Chronic criterion: 931 ug/l
Human Health Non-threshold Criteria:	
Public and food processing water supply: 0.25 ug/l	
Non-drinking water: 14.4 ug/l	
Date criteria derived: June 20, 2006	
Applicable waterbodies: Not used during this period.	

For additional information concerning these criteria or the derivation process used in generating them, please contact:

Brian Koch
Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217-558-2012

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

2013 FIRST QUARTER SALES & MISCELLANEOUS TAX SUNSHINE INDEX

1. Statute requiring agency to publish information concerning Private Letter Rulings and General Information Letters in the Illinois Register:

Illinois Department of Revenue Sunshine Act
20 ILCS 2515/1

2. Summary of Information:

Index of Department of Revenue Sales and Miscellaneous Tax Private Letter Rulings and General Information Letters issued for the First Quarter of 2013. Private letter rulings are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. Private letter rulings are binding on the Department only as to the taxpayer who is the subject of the request for ruling. (See 2 Ill. Adm. Code 1200.110) General information letters are issued by the Department in response to written inquiries from taxpayers, taxpayer representatives, business, trade, industrial associations or similar groups. General information letters contain general discussions of tax principles or applications. General information letters are designed to provide general background information on topics of interest to taxpayers. General information letters do not constitute statements of agency policy that apply, interpret, or prescribe tax laws administered by the Department. General information letters may not be relied upon by taxpayers in taking positions with reference to tax issues and create no rights for taxpayers under the Taxpayers' Bill of Rights Act. (See 2 Ill. Adm. Code 1200.120)

The letters are listed numerically, are identified as either a General Information Letter or a Private Letter Ruling and are summarized with a brief synopsis under the following subjects:

Computer Software
Construction Contractors
Enterprise Zones
Food, Drugs & Medical Appliances
Leasing
Local Taxes
Miscellaneous
Motor Fuel Tax

Nexus
Rolling Stock Exemption
Sale for Resale
Sale of Service
Service Occupation Tax
Telecommunications Excise Tax
Tobacco Products Act

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

2013 FIRST QUARTER SALES & MISCELLANEOUS TAX SUNSHINE INDEX

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1 per opinion plus 50¢ per page for each page over one. Copies of the ruling letters may be downloaded free of charge from the Department's World Wide Web site at www.tax.illinois.gov/.

The annual index of Sales and Excise Tax letter rulings (all four quarters) is available for \$3.

3. Name and address of person to contact concerning this information:

Linda Settle
Illinois Department of Revenue
Legal Services Office
101 West Jefferson Street
Springfield, Illinois 62794
Telephone: 217/782-7055

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

2013 FIRST QUARTER SALES & MISCELLANEOUS TAX SUNSHINE INDEX

COMPUTER SOFTWARE

ST 13-0015-GIL 03/31/2013 If transactions for the licensing of computer software meet all of the criteria provided in subsection (a)(1) of Section 130.1935, neither the transfer of the software nor the subsequent software updates will be subject to Retailers' Occupation Tax. See 86 Ill. Adm. Code 130.1935.

CONSTRUCTION CONTRACTORS

ST 13-0010-GIL 02/19/2013 Construction contractors who physically incorporate tangible personal property into real estate owned by exempt organizations or governmental entities that hold tax exempt "E" numbers can purchase such property tax free by providing their suppliers with the certification described in 86 Ill. Adm. Code 130.2075(d). See 86 Ill. Adm. Code Section 130.2075.

ST 13-0012-GIL 03/26/2013 Construction contractors who physically incorporate tangible personal property into real estate owned by exempt organizations or governmental entities that hold tax exempt "E" numbers can purchase such property tax free by providing their suppliers with the certification described in 86 Ill. Adm. Code 130.2075(d). See 86 Ill. Adm. Code Section 130.2075.

ENTERPRISE ZONES

ST 13-0007-GIL 02/05/2013 This letter describes the documentation required to document the Enterprise Zone building materials exemption. 35 ILCS 120/5k and 86 Ill. Adm. Code 130.1951(e).

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

2013 FIRST QUARTER SALES & MISCELLANEOUS TAX SUNSHINE INDEX

FOOD, DRUGS & MEDICAL APPLIANCES

ST 13-0014-GIL 03/29/2013 This letter discusses the State tax rates applicable to sales of food, drugs and medical appliances. See 86 Ill. Adm. Code 130.310 and 130.311.

LEASING

ST 13-0008-GIL 02/05/2013 Information regarding the tax liabilities in lease situations may be found at 86 Ill. Adm. Code 130.220 and 86 Ill. Adm. Code 130.2010.

LOCAL TAXES

ST 13-0005-GIL 01/25/2013 If a sale is made in a jurisdiction that imposes a local retailers' occupation tax, that local jurisdiction's tax will be incurred on that sale. See 86 Ill. Adm. Code 270.115(b).

MISCELLANEOUS

ST 13-0009-GIL 02/05/2013 This letter discusses "prepaid telephone calling arrangements". See 35 ILCS 120/2-7.

ST 13-0016-GIL 03/31/2013 This letter discusses "prepaid telephone calling arrangements" and the Prepaid Wireless 9-1-1 Surcharge Act. See 35 ILCS 120/2-7 and 50 ILCS 753.

MOTOR FUEL TAX

ST 13-0013-GIL 03/29/2013 This letter describes documentation requirements under the Motor Fuel Tax Law. See 86 Ill. Adm. Code 500.335, 500.340 and 500.345.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

2013 FIRST QUARTER SALES & MISCELLANEOUS TAX SUNSHINE INDEX

NEXUS

ST 13-0006-GIL 01/30/2013 This letter responds to questionnaire regarding nexus. See Quill Corp. v. North Dakota, 112 S.Ct. 1904 (1992).

ROLLING STOCK EXEMPTION

ST 13-0002-GIL 01/18/2013 This letter discusses diesel exhaust fluid (DEF) and the rolling stock exemption. See 86 Ill. Adm. Code Section 130.340.

SALE FOR RESALE

ST 13-0001-GIL 01/09/2013 This letter concerns sales for resale. See 86 Ill. Adm. Code 130.1401.

SALE OF SERVICE

ST 13-0004-GIL 01/25/2013 This letter clarifies and replaces the Department's previous response regarding the inquiry about the "Tire Disposal Fees" provided in our General Information Letter dated April 13, 2006, ST-06-0036.

SERVICE OCCUPATION TAX

ST 13-0003-GIL 01/18/2013 This letter concerns the taxation of tangible personal property transferred incident to sales of service. See 86 Ill. Adm. Code 140.01.

TELECOMMUNICATIONS EXCISE TAX

ST 13-0011-GIL 03/12/2013 This letter concerns the very limited exemptions from Telecommunications Excise Tax. See 35 ILCS 630/2.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

2013 FIRST QUARTER SALES & MISCELLANEOUS TAX SUNSHINE INDEX

TOBACCO PRODUCTS TAX ACT

ST 13-0017-GIL 03/31/2013 This letter discusses the taxation of moist snuff. See 35
ILCS 143/10-10.

PROCLAMATIONS

**2013-165
GUBERNATORIAL PROCLAMATION**

Severe storms generating heavy rainfall moved through Illinois on April 15-18, 2013, causing significant river and flash flooding throughout the State. In Monroe County, the flooding resulted in the closure of and damage to roadways and bridges. The flooding of transportation routes has caused a disruption of essential services and is a threat to public health and safety.

In the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists within the State of Illinois, and pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, specifically declare Monroe County as a disaster area.

This gubernatorial proclamation of disaster will aid the Illinois Emergency Management Agency in coordinating State resources to support local governments in disaster response and recovery operations, including, but not limited to, emergency purchases necessary for response and other emergency powers as authorized by the Act. This includes the suspension of provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster. In addition, this proclamation can facilitate a request for Federal disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

**2013-166
89 WLS Chicago Day**

WHEREAS, 89 years ago, a Chicago radio station began airing under the call letters "WLS", for "World's Largest Store" after its owner, Sears, Roebuck and Company; and

WHEREAS, the WLS National Barn Dance became one of America's most popular musical showcases, broadcasting from Chicago's Sherman House, now the site of the James R. Thompson State of Illinois Center; and

WHEREAS, the "WLS Silver Dollar Survey" in the 1960s defined the changing musical tastes of a generation of Chicago-area listeners; and

WHEREAS, 89 WLS has matured into an award-winning talk radio station that offers discussion on issue-based topics in a fast-paced, no holds-barred format; and,

WHEREAS, 89 WLS provides a forum for insightful, informative and entertaining conversations among its hosts, guests and callers on issues that are vital to us all; and,

PROCLAMATIONS

WHEREAS, 89 WLS's commitment to delivering quality talk radio has created a lasting impact and touched countless lives; and,

WHEREAS, 89 WLS is celebrating its 89th year on the air, a significant milestone for any organization and a testament to the relationships they have built; and,

WHEREAS, on April 12, 2013, 89 WLS will celebrate its 89th anniversary with a live broadcast at Chicago's historic Navy Pier; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 12, 2013 as **89 WLS CHICAGO DAY** in the State of Illinois in gratitude for 89 years of friendship and quality broadcasting.

Issued by the Governor April 12, 2013

Filed by the Secretary of State May 2, 2013

2013-167**Yom HaShoah Day of Remembrance**

WHEREAS, the Holocaust was the state sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945; and,

WHEREAS, during this sad time in history, six million people were murdered, while many others were forced into grievous oppression and death under Nazi tyranny for racial, ethnic or national reasons; and,

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and,

WHEREAS, the people of the State of Illinois should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution and tyranny. In addition, we should actively rededicate ourselves to the principles of individual freedom in a just society; and,

WHEREAS, the Days of Remembrance have been set aside for the people of the State of Illinois to bear in memory the victims of the Holocaust while reflecting on the need for respect of all peoples; and,

WHEREAS, pursuant to Public Law 96-388, October 7, 1980 the United States Congress dedicated the Days of Remembrance of the victims of the Holocaust. This year's observance takes place from April 7th through April 14th, including the Day of Remembrance known as Yom HaShoah, on April 8th; and,

PROCLAMATIONS

WHEREAS, the Jewish Federation of Metropolitan Chicago will observe the Statewide Yom HaShoah Commemoration on April 18, 2013 in the "people's house" of the Illinois Governor's Mansion; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 18, 2013 as **YOM HASHOAH DAY OF REMEMBRANCE** in Illinois, in memory of the victims of the Holocaust, and the survivors, as well as the rescuers and liberators. I urge all citizens to collectively and individually strive to overcome bigotry, hatred and indifference through learning, tolerance and remembrance.

Issued by the Governor April 12, 2013

Filed by the Secretary of State May 2, 2013

2013-168**Financial Literacy Month**

WHEREAS, it is essential that the people of Illinois have access to financial education and information in order to make informed and responsible decisions regarding finance, credit, and debt; and,

WHEREAS, public, consumer, community-based, and private sector organizations throughout Illinois are working to educate the public on personal finance issues and increase financial literacy for people of all ages in Illinois; and,

WHEREAS, financial literacy education helps prepare students to be informed consumers and competent financial decision-makers throughout their lives; and,

WHEREAS, only 56% of teens plan to save part of their income, down from 89% in 2011; and,

WHEREAS, the percentage of adults who do not pay all of their bills on time has increased from 28% in 2011 to 33% in 2012; and,

WHEREAS, 64% of college graduates in 2011 had student loan debt and their average debt was more than \$26,500; and,

WHEREAS, acquisition of financial literacy skills by citizens will improve the quality of their lives, provide them with the skills necessary for success, contribute to positive changes in the communities in which they live and work, and benefit the economy of this state; and,

PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2013 as **FINANCIAL LITERACY MONTH** in Illinois, in support of increasing financial education across the Land of Lincoln.

Issued by the Governor April 15, 2013

Filed by the Secretary of State May 2, 2013

2013-169**Illinois Flag Display Act – Anne Smedinghoff**

WHEREAS, all citizens owe a tremendous debt of gratitude to the public servants who selflessly serve to promote democracy, reduce global poverty, and build international relationships for the United States abroad; and,

WHEREAS, every day these diplomats face great risks and in many cases put their safety on the line to perform their duties; and,

WHEREAS, on Saturday, April 6, 2013 United States diplomat Anne Smedinghoff was abruptly taken from us at the age of 25 while she was on her way to deliver books to children at a school in Afghanistan; and,

WHEREAS, after earning a degree in international relations at Johns Hopkins University, Anne Smedinghoff joined the foreign service, where she completed an assignment in Venezuela, then volunteered for her most recent assignment in Kabul, Afghanistan; and,

WHEREAS, a native of River Forest, Illinois, and graduate of Fenwick High School in Oak Park, Anne Smedinghoff was a well-known member of her community and loving daughter and sister who will always be remembered for the countless lives that she impacted; and,

WHEREAS, Anne Smedinghoff was a brave young woman who knew that social justice was her calling and was devoted to protecting America and improving the lives of others; and,

WHEREAS, throughout her career as a proud member of the State Department, Anne Smedinghoff represented the State of Illinois admirably; and,

WHEREAS, a funeral will be held on Wednesday, April 17, 2013 for Anne Smedinghoff, who is survived by her parents, a brother and two sisters, as well as many other loving family members and friends; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the **Illinois Flag Display Act** to fly their flags at half-staff immediately

PROCLAMATIONS

until sunset on Wednesday, April 17, 2013 in honor and remembrance of Anne Smedinghoff, whose selfless service and dedication to making the world a better place is an inspiration.

Issued by the Governor April 15, 2013

Filed by the Secretary of State May 2, 2013

2013-170**Foster Parent Appreciation Month**

WHEREAS, each year more than 4,000 children who have been abused or neglected cannot remain with their families safely, and these children need and deserve the temporary safe haven of a family home where they can be protected, nurtured and loved; and,

WHEREAS, without volunteer foster families, the Illinois Department of Children and Family Services would not be able to fulfill its mission to provide for the well-being of the nearly 15,000 children currently in its care; and,

WHEREAS, the department and its nonprofit partners provide a wide range of supports to assist foster families in meeting not only a child's basic physical needs, but also ensure her educational, emotional and social well-being, none of which can be achieved without the dedication of foster families; and,

WHEREAS, foster families answer a noble calling to devote their time and energies to children to reunite families when possible, support other permanency options and create opportunities for a successful launch to adulthood; and

WHEREAS, foster families provide children with the one thing they need the most, which cannot come from a government or nonprofit agency, but only from the heart of another human being: love; and,

WHEREAS, it is impossible to quantify the minute and magnificent ways foster parents change lives, and they deserve the utmost respect and gratitude for the lasting impact they have in the life of a child, in their communities and on the future prosperity of this state; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do proclaim May 2013 as **FOSTER PARENT APPRECIATION MONTH** in Illinois, extending thanks on behalf of our the people of Illinois to the thousands of Illinois foster families, and encouraging all to consider joining them in their noble service to children, communities and our state.

Issued by the Governor April 16, 2013

Filed by the Secretary of State May 2, 2013

PROCLAMATIONS

2013-171**Illinois Flag Display Act – Lance Stone**

WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, families and communities; and,

WHEREAS, first responders save countless lives every year with their heroic efforts; and,

WHEREAS, firefighters not only demonstrate the desire to serve, but have the courage to act calmly and professionally in otherwise terrifying situations; and,

WHEREAS, on the evening of April 13, 2013 one of these brave souls, Lance Stone of the West Union Volunteer Fire Department, was suddenly taken from us at the age of 37; and,

WHEREAS, we will always remember that throughout his accomplished career as a firefighter, Lance Stone courageously volunteered to walk into fires as everyone else ran out; and,

WHEREAS, although Lance Stone is no longer with us, we will not forget the countless lives that were impacted by his public service; and,

WHEREAS, Lance Stone was not simply a public servant, but a dedicated first responder who was known by many for his deep commitment to helping people and saving lives; and,

WHEREAS, we remember Lance Stone's dedication to his family, friends, community and the State of Illinois; and,

WHEREAS, Lance Stone leaves behind his parents, wife and six children. Not only did he serve the citizens of his community and of this great state, but he was a hero in his role as a husband and a father; and,

WHEREAS, on Saturday, April 20, 2013, a graveside funeral will be held for Lance Stone; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the **Illinois Flag Display Act** to fly their flags at half-staff from sunrise on April 18, 2013 until sunset on April 20, 2013 in honor and remembrance of Lance Stone whose selfless service and sacrifice is an inspiration.

Issued by the Governor April 16, 2013

Filed by the Secretary of State May 2, 2013

PROCLAMATIONS

**2013-172
Nursing Home Week**

WHEREAS, Illinois has more than 800 skilled nursing facilities serving more than 80,000 residents; and,

WHEREAS, nursing homes in Illinois strive to provide quality health care and rehabilitation for our elderly citizens and persons with disabilities. This dedication has been demonstrated through a passionate commitment to upgrade standards of care and improve resident services; and,

WHEREAS, older adults and persons with disabilities in nursing homes have led exceptional and extraordinary lives which have helped enhance the quality of life in this great State; and,

WHEREAS, skilled nursing facilities provide medical care, coordination with hospitals, nursing services, rehabilitation, specialized services, activity programs, religious observances, social services, supervision, food, shelter, grooming assistance and a community setting; and,

WHEREAS, skilled nursing facilities are staffed by dedicated, highly trained medical professionals who provide round-the-clock care to some of the most frail, vulnerable citizens in a long-term care setting; and in short-term care settings, skilled nursing facilities help citizens rehabilitate after surgery or a hospital stay, so they can return home; and,

WHEREAS, National Nursing Home Week spotlights nursing home residents and staff and encourages all to celebrate those who make a positive difference in residents' lives every day; and,

WHEREAS, nursing homes throughout Illinois will be hosting activities with residents, families, staff, and visitors in observance of National Nursing Home Week beginning May 5, 2013; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 5 – 11, 2013 as **NURSING HOME WEEK** in Illinois, and urge all residents in Illinois to visit loved ones living in a skilled nursing facility, volunteer time at a local facility and thank dedicated nursing home staff for their commitment to providing compassionate, quality care.

Issued by the Governor April 16, 2013

Filed by the Secretary of State May 2, 2013

**2013-173
Organ Donation Awareness Day**

PROCLAMATIONS

WHEREAS, currently more than 115,000 men, women and children in our country, including more than 5,000 in Illinois, are waiting for lifesaving organ transplants; and,

WHEREAS, the number of people waiting for a lifesaving organ transplant will grow by nearly 50,000 each year; and,

WHEREAS, an average of 18 Americans die each day due to the growing and critical shortage of donated organs for transplant; and,

WHEREAS, organ and tissue transplants have saved and enhanced the lives of more than 600,000 people throughout the United States over the past twenty-five years; and,

WHEREAS, organ and tissue donation from one donor can save and enhance the lives of as many as 50 people; and,

WHEREAS, caring Illinois families have consented to give the gift of life through organ/tissue donation at the death of a loved one; and,

WHEREAS, thousands of Illinois men, women and children and their families have celebrated new life through organ and tissue donations; and,

WHEREAS, it is important to promote and encourage the importance of organ donation to citizens throughout the State of Illinois, and throughout the country; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 19, 2013 as **ORGAN DONATION AWARENESS DAY** in Illinois, and encourage all citizens to become organ donors and to make their families aware of their wishes.

Issued by the Governor April 16, 2013

Filed by the Secretary of State May 2, 2013

2013-174

Your Actions Matter Day

WHEREAS, underage alcohol use remains a challenging public health and public safety problem with severe consequences for youth and their families, communities, and society; and,

WHEREAS, protecting adolescents from alcohol use requires a comprehensive, developmentally-based approach that is initiated prior to puberty and continues throughout

PROCLAMATIONS

adolescence with support from families, schools, colleges, communities, the healthcare system, and government; and,

WHEREAS, underage alcohol use is not inevitable, and parents and society are not helpless to prevent it; 75 percent of 12th graders believe their parents would think it wrong or very wrong to drink alcohol until they are of legal age; and,

WHEREAS, youth who refrain from drinking alcohol are 81 percent more likely to stay in school, and less likely to develop alcohol-dependency problems later in life; and,

WHEREAS, concerted efforts to combat the availability of alcohol to minors like "YOUR ACTIONS MATTER" should help to reduce the availability of alcohol purchased; and,

WHEREAS, we can affect the amount of alcohol consumed by underage users by changing the environmental factors in each community and throughout the State which permit alcohol to be purchased; and,

WHEREAS, through leadership and support, the State of Illinois can influence public opinion and increase public knowledge about underage drinking; enact and enforce relevant laws that increase understanding of the causes and consequences of underage alcohol use; and monitor trends in underage drinking and the effectiveness of efforts designed to reduce demand, availability, and consumption; and,

WHEREAS, the Illinois SADD Student Advisory Board and all the other 2013 "Don't Be Sorry" Youth Art Contest participants serve as role models to educate both adults and teens about the importance of underage drinking prevention; and,

WHEREAS, preventing underage drinking is "everyone's" responsibility; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 18, 2013 as **YOUR ACTIONS MATTER DAY** in Illinois.

Issued by the Governor April 16, 2013

Filed by the Secretary of State May 2, 2013

2013-175

American Legion and American Legion Auxiliary Poppy Days

PROCLAMATIONS

WHEREAS, America's freedom has been preserved and protected by the brave men and women of the United States Armed Forces, who in times of distress have fought for our country; and,

WHEREAS, in their efforts to keep our country free, millions who have answered the call to arms have died on the battlefield; and,

WHEREAS, intrigued by the small red flowers that grew in a field in France after a battle in the first World War, Canadian Colonel John McCrae wrote the famous poem, "In Flanders Fields"; and,

WHEREAS, the poem paralleled the battlefield tombs of the honorable soldiers that died there with the red poppy flowers that grew on top of them, thus immortalizing an image in our history that we must never forget; and,

WHEREAS, throughout the years, the red poppy flower has become an international symbol of the lives that have been lost in war; and,

WHEREAS, displaying a small poppy flower is considered a proper tribute to those who have made the ultimate sacrifice in the name of freedom; and,

WHEREAS, both the American Legion and American Legion Auxiliary have pledged to remind America annually of this sacrifice through the distribution of the memorial flower during their Memorial Day fundraising campaign to help disabled veterans; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 24 - 26, 2013 as **AMERICAN LEGION AND AMERICAN LEGION AUXILIARY POPPY DAYS** in Illinois, and encourage all citizens to join the American Legion and American Legion Auxiliary in honoring our fallen heroes by wearing the Memorial Poppy on these days.

Issued by the Governor April 17, 2013

Filed by the Secretary of State May 2, 2013

2013-176

Children's Mental Health Awareness Day

WHEREAS, addressing the continuing mental healthcare needs of children, youth, and their families today bears on the future wellbeing of all Illinoisans; and,

WHEREAS, the need for comprehensive and coordinated mental healthcare services for children and adolescents must be of vital concern and responsibility to our local communities; and,

PROCLAMATIONS

WHEREAS, the Illinois Department of Human Services Division of Family and Community Services, along with the Illinois Children's Mental Health Partnership and our All Our Kids (AOK) Networks will observe the 8th Annual National Children's Mental Health Awareness Day by affirming the benefits and value of the work being done by the recent beneficiaries of federal SAMHSA grants in Illinois through Project LAUNCH; and,

WHEREAS, it is important that we recognize the efforts of all systems that serve young children with the goal of helping all children reach physical, social, emotional, behavioral, and cognitive milestones; and,

WHEREAS, this year a special focus will also be given to celebrating family wellness, mind, body, and spirit; and,

WHEREAS, it is important to raise awareness regarding the various ways that adults – including child-care staff, parents and other caregivers and community members – can strengthen early childhood resilience and recovery; and,

WHEREAS, it is fitting that we set aside a day each year for the observance of the mental healthcare requirements of our young in order to see where progress has been made and to assess where there is more work to be done; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 9, 2013 as **CHILDREN'S MENTAL HEALTH AWARENESS DAY** in Illinois, and urge every citizen, state and local agency and private organization committed to advancing the mental wellbeing of children and adolescents to come together to raise awareness of this cause and of the importance of sustaining year-round mental health programs for children and youth and their families.

Issued by the Governor April 17, 2013

Filed by the Secretary of State May 2, 2013

2013-177
Great Outdoors Month

WHEREAS, June of each year is designated as Great Outdoors Month to highlight the numerous benefits of the outdoors and the magnificent shared resources of our parks, forests, refuges, and other public lands and waters; and,

PROCLAMATIONS

WHEREAS, Great Outdoors Month is an opportunity to celebrate the rich blessings of our nation's natural beauty, and to renew our commitment to protecting our environment so that we can leave our children and grandchildren a healthy and flourishing land; and,

WHEREAS, this month is also an opportunity to pay tribute to those whose hard work and dedication keep our country's open spaces beautiful and accessible to our citizens; and,

WHEREAS, June also opens the active summer vacation and recreation season. Through recreational activities such as fishing, skiing, biking, and nature watching, we can teach our young people about the wonders of our state's landscapes; and,

WHEREAS, experiencing Illinois' natural splendor contributes to happier and healthier lives for our citizens and a deeper appreciation for the great outdoors; and,

WHEREAS, countless citizens volunteer their time and talents to protect America's natural resources. By working together, we can help preserve our local parks, lakes, rivers, and working lands; and,

WHEREAS, it is fitting that during this month we should also acknowledge the dedicated efforts of all those who work to promote stewardship and conservation of our state's natural wonders; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2013 as **GREAT OUTDOORS MONTH** in Illinois, and encourage all citizens to observe this month with appropriate programs and activities and to take time to experience and enjoy the great outdoors.

Issued by the Governor April 17, 2013

Filed by the Secretary of State May 2, 2013

2013-178**Better Hearing and Speech Month**

WHEREAS, founded in 1960, the Illinois Speech-Language-Hearing Association (ISHA) is a non-profit organization representing over 4000 licensed speech-language pathologists and audiologists; and,

WHEREAS, speech-language pathologists are specialists trained to identify, evaluate, and remediate communication or swallowing problems, and determine the best treatment solutions; and,

PROCLAMATIONS

WHEREAS, audiologists specialize in the prevention, identification, and evaluation of hearing and balance disorders and the habilitation/rehabilitation of individuals with hearing impairment; and,

WHEREAS, ISHA has three main goals: to make the public aware of services available to persons with speech, language and hearing disorders; to advocate for quality hearing services throughout the state; and to support the scientific study of human communication and its disorders; and,

WHEREAS, approximately 46 million Americans are affected by communicative disorders, including 28 million individuals with hearing loss and 16 million individuals with speech, voice or language disorders; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as **BETTER HEARING AND SPEECH MONTH** in Illinois, to raise awareness of the contributions of speech-language pathologists and audiologists and the help that is available to those individuals with a speech, language or hearing problem.

Issued by the Governor April 18, 2013

Filed by the Secretary of State May 2, 2013

2013-179**National Hepatitis Awareness Day**

WHEREAS, hepatitis simply means inflammation of the liver and can be caused by a wide range of things. One of the most common causes of chronic hepatitis is viral infection; and,

WHEREAS, hepatitis B and C are two such viruses that together kill approximately one million people per year. Five hundred million people around the world are currently infected with chronic hepatitis B or C and one in three people have been exposed to one or both viruses; and,

WHEREAS, the hepatitis B virus is spread through direct contact with infected blood as well as most major body fluids; and,

WHEREAS, it is important to raise awareness about the cause of this disease because hepatitis B can be prevented through effective vaccination; and,

PROCLAMATIONS

WHEREAS, many people do not have any symptoms if they contract hepatitis B, although they can still transmit the viruses to others; and,

WHEREAS, if left untreated and unmanaged, hepatitis B can lead to advanced liver scarring (cirrhosis) and other serious complications including liver cancer or liver failure; and,

WHEREAS, hepatitis B is a serious global health risk that affects Asians disproportionately. More than half of the estimated 1.4 to 2 million people infected in the United States are Asian American; and,

WHEREAS, May is Asian American Heritage Month. During this month, the Midwest Asian Health Association – Hepatitis Coalition of the Midwest, in partnership with the regional Asian Pacific American Medical Student Association, Chinese American Association of Greater Chicago, Chinese American Service League, Illinois Department of Public Health, Chicago Department of Public Health, the University of Illinois – Hospital & Health Sciences System, Northwestern University – Hepatitis B Alliance of Chicago, Chicago Mayor's Office of Special Events, along with more than thirty other organizations will work to raise awareness of this disease among the Asian American population in Illinois; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 17, 2013 as **NATIONAL HEPATITIS AWARENESS DAY** in the State of Illinois in order to raise awareness of hepatitis B.

Issued by the Governor April 23, 2013

Filed by the Secretary of State May 2, 2013

2013-180**Pizza Day**

WHEREAS, pizza is an oven-baked, flat, round bread typically topped with tomato sauce, cheese, and various other toppings including pepperoni, sausage, vegetables, mushrooms, olives, and fruit such as pineapple; and,

WHEREAS, originally invented in Naples, Italy in 1889, pizza has since become a popular dish in many parts of the world; and,

WHEREAS, pizza appeared in the United States with the arrival of Italian immigrants in the late 19th century and became very popular among large Italian populations in Chicago, New York

PROCLAMATIONS

City, and Philadelphia. Shortly thereafter, small cafes and grocery stores began selling pizzas to their Italian-American communities; and,

WHEREAS, currently, 93 percent of Americans eat at least one pizza per month, and there are approximately 65,000 pizza franchises across the United States; and,

WHEREAS, Chicago-style pizza first appeared in 1943 with the opening of Pizzeria Uno. Over the years, from the Neapolitan wood fired to the famous deep dish, pizza business owners in Chicago and across the State of Illinois have received recognition for making some of the world's best pizza; and,

WHEREAS, Chicago was just ranked as America's best city for pizza by Travel and Leisure Magazine; and,

WHEREAS, the \$40 billion dollar pizza industry in the United States plays a critical role in promoting economic development across our cities, states, and nation; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 1, 2013 as **PIZZA DAY** in Illinois, in recognition of the delicious pizza made in Illinois and the contributions of pizza business owners to the economic vitality of the Land of Lincoln.

Issued by the Governor April 23, 2013

Filed by the Secretary of State May 2, 2013

2013-181**Small Business and Entrepreneur Week**

WHEREAS, small businesses and entrepreneurs are vital to Illinois' growth and prosperity; and,

WHEREAS, 65 percent of new jobs created throughout the United States in the past two decades have come from entrepreneurs and small businesses; and,

WHEREAS, many young Americans envision starting a business or doing something entrepreneurial as adults; and,

WHEREAS, the State of Illinois remains committed to nurturing our entrepreneurs and small businesses by providing a network of entrepreneurship and small business centers throughout Illinois to turn promising ideas into promising companies and new jobs; and,

PROCLAMATIONS

WHEREAS, a broad coalition of partner organizations in Illinois and throughout the United States is actively engaged in enhancing small business and entrepreneurial opportunities; and,

WHEREAS, encouraging youth to be excited about business and working to expand the knowledge and skills of Illinoisans to be successful are crucial to the long-term growth of Illinois and the United States; and,

WHEREAS, Small Business and Entrepreneur Week provides an opportunity to focus on the innovative ways in which small business and entrepreneurship education can bring together the core academic, technical and problem solving skills essential for future entrepreneurs and successful workers in future workplaces; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 6-10, 2013 as **SMALL BUSINESS AND ENTREPRENEUR WEEK** in Illinois, and encourage consumers in the Land of Lincoln to support small businesses and entrepreneurs that create jobs within our communities and reinvest in our local economies.

Issued by the Governor April 24, 2013

Filed by the Secretary of State May 2, 2013

2013-182
Bicycle Month

WHEREAS, millions of Americans engage in cycling because it is a viable and environmentally sound form of transportation and an excellent form of physical fitness; and,

WHEREAS, there is a need to promote alternative forms of transportation such as walking and bicycling in order to reduce pollution, reduce America's dependence on fossil fuels and improve the health and well-being of the global community; and,

WHEREAS, increasing the number of bicycling lanes, paths, storage facilities and traffic calming measures will help ease automobile traffic congestion and encourage a healthy lifestyle for residents; and,

WHEREAS, Bike to Work Week in Springfield, Illinois helps to increase public awareness for bicycling, educates the community about the benefits of bicycling for transportation purposes and encourages people to try bicycle commuting; and,

WHEREAS, Illinois statute includes a Complete Streets law as well as a vulnerable users protections that ensure cyclists are safely accommodated within the transportation system; and,

PROCLAMATIONS

WHEREAS, the State of Illinois is developing an Illinois Bike Transportation Plan that will enhance sustainable, non-motorized transportation alternatives in our state; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as **BICYCLE MONTH** in Illinois, and encourage all citizens to recognize the importance of safety sharing our streets with cyclists and celebrate non-motorized transportation in Illinois.

Issued by the Governor April 25, 2013

Filed by the Secretary of State May 2, 2013

2013-183**National Nurses Day and Week**

WHEREAS, the nearly 3.1 million registered nurses in the United States comprise our nation's largest health care profession; and,

WHEREAS, the depth and breadth of the registered nursing profession meets the different and emerging health care needs of the American population in a wide range of settings; and,

WHEREAS, the American Nurses Association, as the voice for the registered nurses of this country, is working to chart a new course for a healthy nation that relies on increasing delivery of primary and preventive health care; and,

WHEREAS, a renewed emphasis on primary and preventive health care will require better utilization of all of our nation's registered nursing resources; and,

WHEREAS, professional nursing is an indispensable component in the safety and quality of care of hospitalized patients; and,

WHEREAS, the demand for registered nursing services will be greater than ever because of the aging American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services; and,

WHEREAS, more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community; and,

WHEREAS, the cost-effective, safe and quality health care services provided by registered nurses will be an ever more important component of the U.S. health care delivery system in the future; and,

PROCLAMATIONS

WHEREAS, National Nurses Week is celebrated annually from **May 6**, also known as **National Nurses Day**, through May 12, the birthday of **Florence Nightingale**, the founder of modern nursing:

THEREFORE, I, Pat, Quinn, Governor of the State of Illinois, do hereby proclaim May 6, 2013 as **NATIONAL NURSES DAY** and May 6 – 12, 2013 as **NATIONAL NURSES WEEK** in Illinois, and encourage all citizens to recognize and honor nurses in their communities for the hard work and invaluable services they provide.

Issued by the Governor April 25, 2013

Filed by the Secretary of State May 2, 2013

2013-184

Illinois Flag Display Act – Kevin Sanders

WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, family and communities; and,

WHEREAS, first responders save countless lives every year with their heroic efforts; and,

WHEREAS, firefighters not only demonstrate the desire to serve, but have the courage to act calmly and professionally in otherwise terrifying situations; and,

WHEREAS, on the evening of April 17, 2013 one of these brave souls, Kevin Sanders of the Bruceville-Eddy Volunteer fire department, was suddenly taken from us; and,

WHEREAS, we will always remember that throughout his accomplished career as a firefighter, Kevin Sanders courageously volunteered to walk into fires as everyone else ran out; and,

WHEREAS, although Kevin Sanders is no longer with us, we will not forget the countless lives that were impacted by his public service; and,

WHEREAS, Kevin Sanders was not simply a public servant, but a dedicated first responder who was known by many for his deep commitment to helping people and saving lives; and,

WHEREAS, we remember Kevin Sanders' dedication to his community, family, his faith and the State of Illinois; and,

PROCLAMATIONS

WHEREAS, Kevin Sanders was tragically taken from us at the age of 33 leaving behind a wife, and 3 month old son. Not only did he serve the citizens of his community and of this great state, but was a hero in his role as a husband and a father; and,

WHEREAS, on Wednesday May 1, 2013, a funeral will be held for Kevin Sanders; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the **Illinois Flag Display Act** to fly their flags at half-staff from sunrise on April 29, 2013 until sunset on May 1, 2013 in honor and remembrance of Kevin Sanders whose selfless service and sacrifice is an inspiration.

Issued by the Governor April 26, 2013

Filed by the Secretary of State May 2, 2013

2013-185**South African Freedom Day**

WHEREAS, the State of Illinois joins the citizens of South Africa in recognizing South African Freedom Day on Friday, April 26, 2013; and,

WHEREAS, Freedom Day is celebrated in South Africa to commemorate the first post-apartheid election held in the country on April 27, 1994; and,

WHEREAS, Freedom Day is an occasion for South Africans, and citizens globally, to honor and celebrate the legacy of those who fought to create a democratic and free society for all; and,

WHEREAS, Freedom Day 2013 marks the 19th anniversary since South Africa's first democratic election and reminds us that freedom and human rights are for all human beings, regardless of race, gender, nationality, religion, or sexual orientation; and,

WHEREAS, the citizens of the State of Illinois stand with the citizens of South Africa in celebrating South Africa's Freedom Day; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 26, 2013 as **SOUTH AFRICAN FREEDOM DAY** in Illinois, in recognition of Freedom Day in South Africa on April 27th.

Issued by the Governor April 26, 2013

Filed by the Secretary of State May 2, 2013

2013-186

PROCLAMATIONS

Childhood Drowning Prevention Month

WHEREAS, drowning is the leading cause of accidental death for children ages one through four, accounting for nearly one-third of all accidental deaths of toddlers and pre-school children; and,

WHEREAS, drowning is the second leading cause of death for children ages one through 14 and claims the life of an average of two children per day in the United States; and,

WHEREAS, child drowning can occur in seconds in pools, bathtubs, hot tubs, decorative garden ponds, and even buckets that contain as little as two inches of water; and,

WHEREAS, 21 Illinois children lost their lives to accidental drowning in 2012 including 10 in swimming pools, six in lakes, two in ponds, two in rivers and one in a bathtub; and,

WHEREAS, for every child that drowns, five more are victims of near-drowning that requires emergency medical care, often leading to hospitalization and causing long-term brain damage that can include: memory loss, learning disabilities, and permanent loss of basic functioning that results in a permanent vegetative state; and,

WHEREAS, inadequate supervision of children, which includes neglect that results in drowning, is the third-leading cause of all child deaths indicated by the Illinois Department of Children and Family Services; and,

WHEREAS, it is important to recognize that constant adult supervision is needed when children are near or in water; and,

WHEREAS, the state's "Get Water Wise...Supervise!" campaign urges the public to prevent childhood drowning and life-altering near-drowning by providing adult supervision whenever children are near or in water; and,

WHEREAS, the "Get Water Wise...Supervise!" campaign is a collaborative effort of the Illinois Department of Children and Family Services, Prevent Child Abuse Illinois, the American Red Cross Illinois Capital Area Chapter, the Illinois Chapter of the American Academy of Pediatrics, the Illinois Department of Public Health, the Illinois Child Death Review Team, and other community partners that recognize that childhood drowning is preventable if proper adult supervision is provided; and,

WHEREAS, the use of floatation devices and inflatable toys cannot replace parental supervision because such devices can suddenly shift position, lose air, or slip out from underneath, leaving the child in a dangerous situation; and,

PROCLAMATIONS

WHEREAS, adults need to practice "Reach Supervision" by staying within an arm's length reach of young children and not rely on substitutes; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2013 as **CHILDHOOD DROWNING PREVENTION MONTH** in Illinois, and do hereby encourage all parents and caregivers to learn and practice proven child water safety precautions, ensuring the safety of all Illinois children.

Issued by the Governor April 29, 2013

Filed by the Secretary of State May 2, 2013

2013-187**Public Service Recognition Week**

WHEREAS, Americans are served every single day by public servants at the federal, state, county and city levels. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, public employees take not only jobs, but oaths; and,

WHEREAS, many public servants, including military personnel, police officers, firefighters, border patrol officers, embassy employees, health care professionals and others, risk their lives each day in service to the people of the United States; and,

WHEREAS, public servants include teachers, mail carriers, doctors and scientists, train conductors and astronauts, nurses and safety inspectors, laborers, computer technicians and social workers, as well as countless other occupations; and,

WHEREAS, day in and day out, these dedicated public servants provide the diverse services demanded by the American people of their government with efficiency and integrity; and,

WHEREAS, without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 5 – 11, 2013 as **PUBLIC SERVICE RECOGNITION WEEK** in Illinois, and encourage all citizens to recognize the accomplishments and contributions of government employees at all levels – federal, state, county and city.

Issued by the Governor April 29, 2013

PROCLAMATIONS

Filed by the Secretary of State May 2, 2013

2013-188
Apraxia Awareness day

WHEREAS, as one of the most severe speech and communication problems, Childhood Apraxia of Speech (CAS) is a complex neurological motor-planning disorder often accompanied by other special needs; and,

WHEREAS, children affected with CAS have extreme difficulty planning and producing the precise, highly refined and specific series of movements of the tongue, lips, jaw, and palate that are necessary for producing clear, intelligible speech; and,

WHEREAS, while the act of learning to speak comes effortlessly to most children, those with Apraxia require years of intensive speech therapy and a lengthy struggle to communicate; and,

WHEREAS, although not life-threatening, the disorder alters families' lives because they are left to cope with the emotional, physical, and financial challenges of having a child diagnosed with CAS; and,

WHEREAS, every child should be afforded their best opportunity to develop speech and every child deserves a choice; and,

WHEREAS, with early intervention and appropriate therapy, most children with CAS will learn to communicate with their very own voices. These children, as well as their families, deserve our highest respect for their effort, determination and resilience in the face of such obstacles; and,

WHEREAS, on May 14, numerous organizations will take part in a local, state and national effort to increase awareness about CAS; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 14, 2013 as **APRAXIA AWARENESS DAY** in Illinois, in order to increase awareness of Childhood Apraxia of Speech.

Issued by the Governor April 30, 2013

Filed by the Secretary of State May 2, 2013

2013-189
Locomotive Engineers and Trainmen Day

PROCLAMATIONS

WHEREAS, historically, the rail industry has served as the lifeblood of rural America as well as one of the largest private employers in the United States, and Illinois is proud of its distinguished history as a center of American railway travel; and,

WHEREAS, we recognize that the industrial and economic development of our State was largely due to our railway infrastructure, and it has allowed both our citizens and freight to move cross-country more quickly and efficiently than ever before; and,

WHEREAS, it was an Illinoisan, President Abraham Lincoln, who signed the Pacific Railroad Act on July 1, 1862, creating the original Railroad; and,

WHEREAS, The Pacific Railroad Act of 1862 tasked Union Pacific with building Westward, and Central Pacific Railroad of California with building Eastward, thereby joining East and West; and,

WHEREAS, seven years, 20,000 men and 1,700 miles later the Railroad was completed on May 10, 1869 with the hammering of a golden spike; and,

WHEREAS, it was during this construction period, on May 8, 1863, that The Brotherhood of Locomotive Engineers and Trainmen was founded in order to represent thousands of individuals employed by the rail industry, who, by working together, built one of largest infrastructure systems in the history of our nation; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen remain organized to this day, building upon their storied tradition of leadership in the rail industry while maintaining a distinguished record of service; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen is the oldest railway labor organization in the Western Hemisphere; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen will celebrate their 150th anniversary on May 8, 2013; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen's 55,000 active and retired members throughout the United States and Canada have devoted their lives to the rail industry and provided a great public service to our communities and economy; and,

WHEREAS, Illinois was among the first to adopt and benefit from railway travel, and looks forward to continuing this legacy with our adoption of the innovative and economical high-speed rail with the assistance and support of all rail workers who construct, operate and maintain this valuable component to our infrastructure; and,

PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 8, 2013 as **LOCOMOTIVE ENGINEERS AND TRAINMEN DAY** in Illinois, in honor of their sesquicentennial and encourage all residents to celebrate the contributions of rail throughout Illinois' and our nation's history.

Issued by the Governor April 30, 2013

Filed by the Secretary of State May 2, 2013

2013-190**National Salvation Army Week**

WHEREAS, The Salvation Army Metropolitan Division meets human needs without discrimination; and,

WHEREAS, The Salvation Army has provided help and hope for people in need throughout the State of Illinois for more than 125 years; and,

WHEREAS, The Salvation Army is one of the most recognized and trusted organizations serving those in crisis; and,

WHEREAS, The Salvation Army is committed to "Doing the Most Good" in Illinois through compassionate services for individuals and families in need; and,

WHEREAS, The Salvation Army assisted more than 529,000 adults with emergency social services throughout the State in 2012; and,

WHEREAS, The Salvation Army provided programs for more than 71,000 youth in 2012 in Illinois; and,

WHEREAS, The Salvation Army provides 24/7 emergency disaster response services; and,

WHEREAS, The Salvation Army works to combat human trafficking; and,

WHEREAS, The Salvation Army is the world's largest provider of music education; and,

WHEREAS, The Salvation Army and its volunteers are celebrating National Salvation Army week May 13 – 19, 2013; and,

PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 13 – 19, 2013 as **NATIONAL SALVATION ARMY WEEK** in Illinois and encourage all citizens to celebrate the positive impact this organization has on the State of Illinois.

Issued by the Governor April 30, 2013

Filed by the Secretary of State May 2, 2013

2013-191**Women's Health Day In Illinois**

WHEREAS, women have guided our country and state toward prosperity and progress, and our continued success depends on their well-being; and,

WHEREAS, women often play a leading role in making medical decisions that improve the health of their families while their own health care needs are often unmet; and,

WHEREAS, women from all walks of life and at every stage of life have unique health needs that require further research and should be addressed; and,

WHEREAS, promoting awareness of women's health issues and developing effective partnerships between women and their healthcare providers are necessary factors in keeping women healthy and safe; and,

WHEREAS, researchers and clinicians are now learning that there are significant differences between women and men in the incidence, prevalence, symptoms, and severity of diseases; and

WHEREAS, the Women's Health Research Institute at Northwestern University has created the Illinois Women's Health Registry to gather data on women across the state so that researchers better understand the health needs of Illinois women; and to provide women a vehicle to participate in ongoing women's health research studies occurring in Illinois academic institutions and hospitals; and

WHEREAS, the State of Illinois seeks to be a leader in progressive health legislation that addresses important policy issues that impact women's health; and,

WHEREAS, The Illinois Department of Public Health, through its Office on Women's Health, has taken a leadership role in promoting clinical programs for women's health; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 15, 2013 to be **WOMEN'S HEALTH DAY IN ILLINOIS**, and call upon all the citizens of Illinois to promote and improve the health of our women and to increase awareness and understanding of

PROCLAMATIONS

women's health issues and encourage all women across the state to enroll in the Illinois Women's Health Registry.

Issued by the Governor April 30, 2013

Filed by the Secretary of State May 2, 2013

2013-192
Senior Corps Week

WHEREAS, service to others is a hallmark of the American character, and throughout our history citizens have stepped up to meet our challenges by volunteering in their communities; and,

WHEREAS, the Senior Corps National Service program allows Illinoisans 55 and older the opportunity to share their expertise and passion; and,

WHEREAS, each year Senior Corps, including Foster Grandparents Program, Senior Companions Program, and Retired & Senior Volunteer Program, places more than 17,000 volunteers in communities throughout Illinois; and,

WHEREAS, these Senior Corps members have helped over 7,000 Illinois children to read, assisted over 18,000 seniors stay in their homes, and supported over 2,000 organizations to better serve their communities here in Illinois; and,

WHEREAS, Senior Corps volunteers contribute in ways such as veterans' assistance, disaster preparedness, and poverty reduction, and the over 3,500,000 Senior Corps hours contributed each year is valued at over \$80 billion; and,

WHEREAS, Senior Corps Week, May 6 through 10, 2013, is an opportune time for the people of Illinois to salute Senior Corps volunteers for their service; thank Senior Corps' community partners; and bring more Americans into service; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim May 6 -10, 2013 as **SENIOR CORPS WEEK** in Illinois, and urge citizens to thank Senior Corps volunteers for their service and to find ways to give back to their communities.

Issued by the Governor May 1, 2013

Filed by the Secretary of State May 2, 2013

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 37, Issue 20 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

PROPOSED RULES

8 - 850	.....	6413
89 - 500	.....	6417
17 - 650	.....	6532
17 - 660	.....	6556
17 - 670	.....	6568
17 - 675	.....	6599
17 - 680	.....	6606
17 - 3702	.....	6614
92 - 1030	.....	6630

ADOPTED RULES

23 - 252	5/2/2013	.....	6639
17 - 110	5/1/2013	.....	6652
17 - 810	5/1/2013	.....	6658
17 - 880	5/1/2013	.....	6757
17 - 2010	5/1/2013	.....	6762
17 - 2520	5/1/2013	.....	6766
62 - 230	5/1/2013	.....	6772
62 - 300	5/1/2013	.....	6779
77 - 475	5/6/2013	.....	6784
92 - 435	5/3/2013	.....	6791
92 - 436	5/3/2013	.....	6823

PEREMPTORY RULES

8 - 125	5/6/2013	6870
---------	----------	-------	------

**EXECUTIVE ORDERS AND
PROCLAMATIONS**

13 - 165	4/30/2013	.....	6901
13 - 166	4/12/2013	.....	6901
13 - 167	4/12/2013	.....	6902
13 - 168	4/15/2013	.....	6903
13 - 169	4/15/2013	.....	6904
13 - 170	4/16/2013	.....	6905
13 - 171	4/16/2013	.....	6906
13 - 172	4/16/2013	.....	6907
13 - 173	4/16/2013	.....	6907
13 - 174	4/16/2013	.....	6908
13 - 175	4/17/2013	.....	6909
13 - 176	4/17/2013	.....	6910
13 - 177	4/17/2013	.....	6911
13 - 178	4/18/2013	.....	6912
13 - 179	4/23/2013	.....	6913

13 - 180	4/23/2013	6914
13 - 181	4/24/2013	6915
13 - 182	4/25/2013	6916
13 - 183	4/25/2013	6917
13 - 184	4/26/2013	6918
13 - 185	4/26/2013	6919
13 - 186	4/29/2013	6919
13 - 187	4/29/2013	6921
13 - 188	4/30/2013	6922
13 - 189	4/30/2013	6922
13 - 190	4/30/2013	6924
13 - 191	4/30/2013	6925
13 - 192	5/1/2013	6926

**OTHER INFORMATION REQUIRED BY
LAW TO BE PUBLISHED IN THE
ILLINOIS REGISTER**

89 - 140	.....	6879
89 - 152	.....	6880
77 - 692	.....	6881

ORDER FORM

<input type="checkbox"/> Electronic Version of the Illinois Register (E-mail Address Required) <input type="checkbox"/> New <input type="checkbox"/> Renewal	\$290.00 (annually)
<input type="checkbox"/> Back Issues of the Illinois Register (2009 Only) Volume # _____ Issue# _____ Date _____	\$ 10.00 (each)
<input type="checkbox"/> Microfiche sets of the Illinois Register 1977 – 2003 Specify Year(s) _____	\$ 200.00 (per set)
<input type="checkbox"/> Cumulative/Sections Affected Indices 2003 - 2006 Specify Year(s) _____	\$ 5.00 (per set)
(Processing fee for credit cards purchases, if applicable.)	\$ 2.00
TOTAL AMOUNT OF ORDER	\$ _____

--	--

Check Make Checks Payable To: **Secretary of State**

<input type="checkbox"/> VISA <input type="checkbox"/> Master Card <input type="checkbox"/> Discover (There is a \$2.00 processing fee for credit card purchases.)
Card #: _____ Expiration Date: _____
Signature: _____

Send Payment To: Secretary of State
 Department of Index
 Administrative Code Division
 111 E. Monroe
 Springfield, IL 62756

Fax Order To: (217) 557-8919

Name:	Attention:	ID #:
Address:		
City:	State:	Zip Code:
Phone:	Fax:	E-Mail:

Published by **JESSE WHITE** • Secretary of State
www.cyberdriveillinois.com