

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 275
ELECTRIC VEHICLE REBATE PROGRAM

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AUTHORITY: Implementing and authorized by Sections 15 and 27 of the Electric Vehicle Rebate Act [415 ILCS 120/15 and 27].

SOURCE: Adopted at 21 Ill. Reg. 7150, effective May 29, 1997; amended at 23 Ill. Reg. 11916, effective September 13, 1999; amended at 25 Ill. Reg. 6877, effective May 18, 2001; amended at 34 Ill. Reg. 16841, effective October 18, 2010; amended at 36 Ill. Reg. 14230, effective September 10, 2012; recodified at 46 Ill. Reg. 3042; amended at 46 Ill. Reg. 11451, effective June 21, 2022.

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SUBPART A: GENERAL PROVISIONS

Section 275.100 Purpose

This Part establishes procedures for applying for electric vehicle rebates as authorized by the Electric Vehicle Rebate Act [415 ILCS 120].

(Source: Amended at 46 Ill. Reg.11451, effective June 21, 2022)

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Section 275.120 Definitions

"Act" means the Electric Vehicle Rebate Act [415 ILCS 120].

"Agency" means the Illinois Environmental Protection Agency.

"Electric vehicle" means a vehicle that is exclusively powered by and refueled by electricity, must be plugged in to charge, and is licensed to drive on public roadways. "Electric vehicle" does not include electric mopeds, electric off-highway vehicles, or hybrid electric vehicles and extended-range electric vehicles that are also equipped with conventional fueled propulsion or auxiliary engines.
[415 ILCS 120/10]

"Low income" means persons and families whose income does not exceed 80% of the State median income for the current State fiscal year, as established by the United States Department of Health and Human Services. [415 ILCS 120/10]

"Owner" means any individual who has legal title to a motor vehicle.

"Proof of purchase" means a copy of a canceled check, an invoice or bill showing that the applicable amount has been paid or that no remaining balance exists, or other appropriate proof, acceptable to the Agency, that payment has been made for the related purchase.

"Purchaser" means an individual who purchases an electric vehicle.

(Source: Amended at 46 Ill. Reg.11451, effective June 21, 2022)

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Section 275.130 Abbreviations and Acronyms

Agency Illinois Environmental Protection Agency
VIN vehicle identification number

(Source: Amended at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.140 Incorporations by Reference (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

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SUBPART B: ELECTRIC VEHICLE REBATE

Section 275.200 Eligibility

- a) On and after July 1, 2022, each individual who purchases an electric vehicle and satisfies the criteria set forth in this Section is eligible to receive a rebate under this Part. *To be eligible to receive a rebate, a purchaser must:*
- 1) *Reside in Illinois, both at the time the vehicle was purchased and at the time the rebate is issued. [415 ILCS 120/27(b)(1)]*
 - 2) *Not have received a rebate under the Act in the 10 years prior to the date an application is received by the Agency. A rebate may only be applied for and awarded once per purchaser in any 10-year period. [415 ILCS 120/27(f)]*
 - 3) *Purchase a new or used electric vehicle in Illinois on or after July 1, 2022, from a dealership licensed by the Illinois Secretary of State and be the owner of the vehicle at the time the rebate is issued. Rented or leased vehicles, vehicles purchased from an out-of-state dealership, and vehicles delivered to or received by the purchaser out-of-state are not eligible for a rebate under the Act. [415 ILCS 120/27(b)(2)]*
 - 4) *Purchase an electric vehicle that has never been the subject of a rebate issued under the Act. A rebate administered under this Act may only be applied for and awarded one time per vehicle identification number. [415 ILCS 120/27(f)]* The Agency will provide on its website a searchable list of vehicle identification numbers for vehicles that have received a rebate under the Act.
 - 5) *Apply for the rebate within 90 days after the vehicle purchase date by providing all of the information specified in Section 275.230 to the Agency. [415 ILCS 120/27(b)(3)]* The application must be postmarked within 90 days after the vehicle purchase date.
- b) *The purchaser must retain ownership of the vehicle for a minimum of 12 consecutive months immediately after the vehicle purchase date. The purchaser must register the vehicle in Illinois during that time frame. Rebate recipients who fail to satisfy any of the above criteria will be required to reimburse the Agency all of the original rebate amount and shall notify the Agency within 60 days of failing to satisfy the criteria. [415 ILCS 120/27(d)]*

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- c) Rebates will be issued in accordance with Section 275.240 of this Subpart. The total amount of all rebates issued in the Electric Vehicle Rebate Program for a given calendar year will be limited to an amount not exceeding the funds available in the Electric Vehicle Rebate Fund for that calendar year.

(Source: Amended at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.210 Conversion Cost Rebate Eligibility (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.215 OEM Differential Cost Rebate Eligibility (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.220 Fuel Cost Differential Rebate Eligibility (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

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Section 275.230 Applications

- a) To apply for a rebate, a purchaser must provide the Agency with the following, on a form prescribed by the Agency:
 - 1) The make, model and model year of original manufacture of the electric vehicle that was purchased;
 - 2) The date of vehicle purchase, the name, address, and telephone number of the dealership from which the vehicle was purchased, the dealership's license number issued by the Illinois Secretary of State, and a certification from the dealership that all information is true and correct;
 - 3) The vehicle identification number (VIN);
 - 4) A copy of the purchaser's Illinois vehicle registration;
 - 5) Proof of purchase;
 - 6) The purchaser's phone number, and, if available, email address;
 - 7) *Proof of vehicle ownership and that the vehicle was purchased in Illinois, including a copy of a purchase agreement noting an Illinois seller [415 ILCS 120/27(b)(3)];*
 - 8) For purchasers with a social security number, a completed IRS W-9 that includes the purchaser's name, mailing address, and social security number. For all other purchasers, an IRS W-8 that includes the purchaser's name, mailing address, and taxpayer identification number.
 - 9) The signature of the purchaser attesting that all information is true and correct, printed name, and date signed.
- b) In addition to the information and documentation set forth in subsection (a), purchasers who believe they qualify as low-income shall provide the Agency with a statement certifying that the total combined gross income of all persons over the

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age of 18 living at the purchaser's residence and related to the purchaser by blood, marriage, or adoption does not exceed 80% of the State median income.

- c) *The purchaser must notify the Agency of any changes in residency or ownership of the vehicle that occur between application for a rebate and issuance of a rebate. [415 ILCS 120/27(b)(3)].*

(Source: Amended at 46 Ill. Reg.11451, effective June 21, 2022)

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Section 275.240 Rebate Priorities and Rebate Amounts

- a) *Rebates shall be in the amounts specified below, but in no event shall a rebate amount exceed the purchase price of the vehicle:*
 - 1) *Beginning July 1, 2022, \$4,000 for an electric vehicle that is not an electric motorcycle;*
 - 2) *Beginning July 1, 2026, \$2,000 for an electric vehicle that is not an electric motorcycle;*
 - 3) *Beginning July 1, 2028, \$1,500 for an electric vehicle that is not an electric motorcycle;*
 - 4) *Beginning July 1, 2022, \$1,500 for an electric motorcycle. [415 ILCS 120/27(a)]*
- b) The Agency shall review and approve applications that meet the requirements of Section 275.230 of this Subpart, consistent with fund availability and prioritization as set forth in subsections (c) and (d).
- c) *The Agency shall prioritize the review of qualified applications from low-income purchasers and award rebates to qualified purchasers accordingly. [415 ILCS 120/27(c)]*
- d) In addition to the priority in subsection (c), the Agency will further prioritize applications within a priority class as determined by subsection (c) by giving applications priority in the order in which the application was received. The Agency shall prioritize applications outside the priority class as determined by subsection (c) by giving such applications priority in the order in which the application was received.
- e) Pursuant to subsections (c) and (d), qualified applications received during each rebate application cycle will be divided into those from low-income applicants and those from applicants who are not low-income. Within each group, applications will be ranked in order of date received. The Agency will review applications and issue rebates in the order of date received to qualified low-income applicants first. If funding remains, the Agency will review applications and issue rebates in the order of date received to qualified applicants who are not low-income.
- f) The Agency's denial of an application shall not prohibit an individual from re-applying, provided the individual continues to meet the eligibility requirements

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found in Section 275.200.

- g) The Agency will establish the duration of each rebate application cycle based on factors including available funding amounts, the ramifications of particular rebate cycle lengths, efficiency of rebate issuance, the likelihood of oversubscription, and the prioritization of the review of applications from low-income purchasers pursuant to subsection (c). However, in no case will an application cycle be less than 90 calendar days. The length of a rebate cycle will be noted on the Agency's website at the beginning of each cycle.

(Source: Amended at 46 Ill. Reg.11451, effective June 21, 2022)

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Section 275.250 Appeal of Agency Decision

- a) An applicant whose application for a rebate has been denied by the Agency, or who is contesting the determination of the amount of the rebate, may appeal the denial or rebate amount by filing a notice of appeal with the Director of the Agency.
- b) The notice of appeal must:
 - 1) Be made in writing;
 - 2) Be clearly marked "APPEAL OF ELECTRIC VEHICLE REBATE ";
 - 3) Include a copy of the original application and a copy of the denial letter or rebate check received by the applicant; and
 - 4) Identify which provisions of this Part the Agency did not properly apply and provide an explanation how the Agency allegedly misapplied the provisions of this Part.
- c) The notice of appeal must be postmarked within 30 days after the date of mailing of the denial letter or issuance of the rebate, as applicable.
- d) The Director shall reverse the denial or rebate amount determination if the procedures in this Part were incorrectly applied, resulting in a denial or a rebate determination that is less than the amount for which the applicant is entitled.
- e) If the Director reverses the denial of the rebate, the applicant will be paid the rebate amount.
- f) If the Director modifies the amount of the rebate, the applicant will be paid the difference between the amount of the rebate check and the modified amount.
- g) If the Director affirms the Agency's denial or rebate amount determination, the applicant may file suit for injunctive or declaratory relief in the Circuit Court for Sangamon County or in the Illinois county in which the applicant resides.

(Source: Amended at 46 Ill. Reg.11451, effective June 21, 2022)

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SUBPART C: ELECTRIC VEHICLE CAR SHARING GRANTS

Section 275.300 Availability and Limitations of Grants (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.310 Grant Application Requirements (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.320 Agency Action on Grant Applications (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.330 Grant Agreement and Amendments (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.340 Access (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.350 Audit and Records (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.360 Grant Reporting Requirements (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.370 Final Inspection (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.380 Noncompliance (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.390 Project Suspension (Repealed)

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Section 275.400 Grant Termination by the Agency (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

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Section 275.410 Agency Recovery and Reimbursement of Grant Funds (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.420 Indemnification (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)

Section 275.430 Disputes (Repealed)

(Source: Repealed at 46 Ill. Reg.11451, effective June 21, 2022)