



Rep. Jim Sacia

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09600HB2750ham001

LRB096 07762 AJT 24812 a

1 AMENDMENT TO HOUSE BILL 2750

2 AMENDMENT NO. _____. Amend House Bill 2750 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 3-104 as follows:

6 (625 ILCS 5/3-104) (from Ch. 95 1/2, par. 3-104)

7 Sec. 3-104. Application for certificate of title.

8 (a) The application for a certificate of title for a
9 vehicle in this State must be made by the owner to the
10 Secretary of State on the form prescribed and must contain:

11 1. The name, Illinois residence and mail address of the
12 owner;

13 2. A description of the vehicle including, so far as
14 the following data exists: Its make, year-model,
15 identifying number, type of body, whether new or used, as
16 to house trailers as defined in Section 1-128 of this Code,

1 the square footage of the house trailer based upon the
2 outside dimensions of the house trailer excluding the
3 length of the tongue and hitch, and, as to vehicles of the
4 second division, whether for-hire, not-for-hire, or both
5 for-hire and not-for-hire;

6 3. The date of purchase by applicant and, if
7 applicable, the name and address of the person from whom
8 the vehicle was acquired and the names and addresses of any
9 lienholders in the order of their priority and signatures
10 of owners;

11 4. The current odometer reading at the time of transfer
12 and that the stated odometer reading is one of the
13 following: actual mileage, not the actual mileage or
14 mileage is in excess of its mechanical limits; and

15 5. Any further information the Secretary of State
16 reasonably requires to identify the vehicle and to enable
17 him to determine whether the owner is entitled to a
18 certificate of title and the existence or nonexistence of
19 security interests in the vehicle.

20 (a-5) The Secretary of State shall designate on the
21 prescribed application form a space where the owner of a
22 vehicle may designate a beneficiary, to whom ownership of the
23 vehicle shall pass in the event of the owner's death.

24 (b) If the application refers to a vehicle purchased from a
25 dealer, it must also be signed by the dealer as well as the
26 owner, and the dealer must promptly mail or deliver the

1 application and required documents to the Secretary of State.

2 (c) If the application refers to a vehicle last previously
3 registered in another State or country, the application must
4 contain or be accompanied by:

5 1. Any certified document of ownership so recognized
6 and issued by the other State or country and acceptable to
7 the Secretary of State, and

8 2. Any other information and documents the Secretary of
9 State reasonably requires to establish the ownership of the
10 vehicle and the existence or nonexistence of security
11 interests in it.

12 (d) If the application refers to a new vehicle it must be
13 accompanied by the Manufacturer's Statement of Origin, or other
14 documents as required and acceptable by the Secretary of State,
15 with such assignments as may be necessary to show title in the
16 applicant.

17 (e) If an application refers to a vehicle rebuilt from a
18 vehicle previously salvaged, that application shall comply
19 with the provisions set forth in Sections 3-302 through 3-304
20 of this Code.

21 (f) An application for a certificate of title for any
22 vehicle, whether purchased in Illinois or outside Illinois, and
23 even if previously registered in another State, must be
24 accompanied by either an exemption determination from the
25 Department of Revenue showing that no tax imposed pursuant to
26 the Use Tax Act or the vehicle use tax imposed by Section

1 3-1001 of the Illinois Vehicle Code is owed by anyone with
2 respect to that vehicle, or a receipt from the Department of
3 Revenue showing that any tax so imposed has been paid. An
4 application for a certificate of title for any vehicle
5 purchased outside Illinois, even if previously registered in
6 another state, must be accompanied by either an exemption
7 determination from the Department of Revenue showing that no
8 tax imposed pursuant to the Municipal Use Tax Act or the County
9 Use Tax Act is owed by anyone with respect to that vehicle, or
10 a receipt from the Department of Revenue showing that any tax
11 so imposed has been paid. In the absence of such a receipt for
12 payment or determination of exemption from the Department, no
13 certificate of title shall be issued to the applicant.

14 If the proof of payment of the tax or of nonliability
15 therefor is, after the issuance of the certificate of title and
16 display certificate of title, found to be invalid, the
17 Secretary of State shall revoke the certificate and require
18 that the certificate of title and, when applicable, the display
19 certificate of title be returned to him.

20 (g) If the application refers to a vehicle not manufactured
21 in accordance with federal safety and emission standards, the
22 application must be accompanied by all documents required by
23 federal governmental agencies to meet their standards before a
24 vehicle is allowed to be issued title and registration.

25 (h) If the application refers to a vehicle sold at public
26 sale by a sheriff, it must be accompanied by the required fee

1 and a bill of sale issued and signed by a sheriff. The bill of
2 sale must identify the new owner's name and address, the year
3 model, make and vehicle identification number of the vehicle,
4 court order document number authorizing such sale, if
5 applicable, and the name and address of any lienholders in
6 order of priority, if applicable.

7 (i) If the application refers to a vehicle for which a
8 court of law determined the ownership, it must be accompanied
9 with a certified copy of such court order and the required fee.
10 The court order must indicate the new owner's name and address,
11 the complete description of the vehicle, if known, the name and
12 address of the lienholder, if any, and must be signed and dated
13 by the judge issuing such order.

14 (j) If the application refers to a vehicle sold at public
15 auction pursuant to the Labor and Storage Lien (Small Amount)
16 Act, it must be accompanied by an affidavit or affirmation
17 furnished by the Secretary of State along with the documents
18 described in the affidavit or affirmation and the required fee.

19 (k) If the application refers to a homemade trailer, (i) it
20 must be accompanied by the appropriate documentation regarding
21 the source of materials used in the construction of the
22 trailer, as required by the Secretary of State, (ii) the
23 trailer must be inspected by a Secretary of State investigator,
24 as described in Section 2-115 of this Code, prior to the
25 issuance of the title, and (iii) upon approval of the Secretary
26 of State, the trailer must have a vehicle identification

1 number, as provided by the Secretary of State, stamped or
2 riveted to the frame.
3 (Source: P.A. 95-784, eff. 1-1-09.)".