

HB5846



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5846

by Rep. Michael W. Tryon

SYNOPSIS AS INTRODUCED:

625 ILCS 5/7-604

from Ch. 95 1/2, par. 7-604

Amends the Illinois Vehicle Code. Provides that if the Secretary of State sends requests for information regarding liability insurance coverage to the owners of motor vehicles, these requests must be sent by certified mail.

LRB098 17098 MLW 52185 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 7-604 as follows:

6 (625 ILCS 5/7-604) (from Ch. 95 1/2, par. 7-604)

7 Sec. 7-604. Verification of liability insurance policy.

8 (a) The Secretary of State may select random samples of
9 registrations of motor vehicles subject to Section 7-601 of
10 this Code, or owners thereof, for the purpose of verifying
11 whether or not the motor vehicles are insured.

12 In addition to such general random samples of motor vehicle
13 registrations, the Secretary may select for verification other
14 random samples, including, but not limited to registrations of
15 motor vehicles owned by persons:

16 (1) whose motor vehicle registrations during the
17 preceding 4 years have been suspended pursuant to Section
18 7-606 or 7-607 of this Code;

19 (2) who during the preceding 4 years have been
20 convicted of violating Section 3-707, 3-708 or 3-710 of
21 this Code while operating vehicles owned by other persons;

22 (3) whose driving privileges have been suspended
23 during the preceding 4 years;

1 (4) who during the preceding 4 years acquired ownership
2 of motor vehicles while the registrations of such vehicles
3 under the previous owners were suspended pursuant to
4 Section 7-606 or 7-607 of this Code; or

5 (5) who during the preceding 4 years have received a
6 disposition of supervision under subsection (c) of Section
7 5-6-1 of the Unified Code of Corrections for a violation of
8 Section 3-707, 3-708, or 3-710 of this Code.

9 (b) Upon receiving certification from the Department of
10 Transportation under Section 7-201.2 of this Code of the name
11 of an owner or operator of any motor vehicle involved in an
12 accident, the Secretary may verify whether or not at the time
13 of the accident such motor vehicle was covered by a liability
14 insurance policy in accordance with Section 7-601 of this Code.

15 (c) In preparation for selection of random samples and
16 their verification, the Secretary may send to owners of
17 randomly selected motor vehicles, or to randomly selected motor
18 vehicle owners, requests for information about their motor
19 vehicles and liability insurance coverage. The request shall
20 require the owner to state whether or not the motor vehicle was
21 insured on the verification date stated in the Secretary's
22 request and the request may require, but is not limited to, a
23 statement by the owner of the names and addresses of insurers,
24 policy numbers, and expiration dates of insurance coverage.
25 These requests must be sent by certified mail.

26 (d) Within 30 days after the Secretary mails a request, the

1 owner to whom it is sent shall furnish the requested
2 information to the Secretary above the owner's signed
3 affirmation that such information is true and correct. Proof of
4 insurance in effect on the verification date, as prescribed by
5 the Secretary, may be considered by the Secretary to be a
6 satisfactory response to the request for information.

7 Any owner whose response indicates that his or her vehicle
8 was not covered by a liability insurance policy in accordance
9 with Section 7-601 of this Code shall be deemed to have
10 registered or maintained registration of a motor vehicle in
11 violation of that Section. Any owner who fails to respond to
12 such a request shall be deemed to have registered or maintained
13 registration of a motor vehicle in violation of Section 7-601
14 of this Code.

15 (e) If the owner responds to the request for information by
16 asserting that his or her vehicle was covered by a liability
17 insurance policy on the verification date stated in the
18 Secretary's request, the Secretary may conduct a verification
19 of the response by furnishing necessary information to the
20 insurer named in the response. The insurer shall within 45 days
21 inform the Secretary whether or not on the verification date
22 stated the motor vehicle was insured by the insurer in
23 accordance with Section 7-601 of this Code. The Secretary may
24 by rule and regulation prescribe the procedures for
25 verification.

26 (f) No random sample selected under this Section shall be

1 categorized on the basis of race, color, religion, sex,
2 national origin, ancestry, age, marital status, physical or
3 mental disability, economic status or geography.

4 (Source: P.A. 92-458, eff. 8-22-01.)