



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB1776

Introduced 2/15/2013, by Sen. William R. Haine

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/7-604

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

625 ILCS 5/7-612 new

Amends the Illinois Vehicle Code. Creates the previously uninsured motorist registry. Directs the Secretary of State to populate this registry with the identity of persons that have been convicted of violations of operating an uninsured motor vehicle, operating an uninsured motor vehicle while registration is suspended, and providing false insurance information, as well as the dates and locations of every conviction for these offense. Makes this registry available to law enforcement agencies. Provides that no one shall be removed from the registry until 4 years after their most recent conviction or administrative action for suspension of registration, whichever comes later. Provides for the Secretary of State to periodically request that persons in the registry provide evidence of valid, current insurance on their motor vehicles or have their vehicle registration suspended.

LRB098 07836 MLW 37918 b

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 and adding Section 7-612 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) ~~(Blank); 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; or ~~or~~

9           (6) who are listed in the Previously Uninsured Motorist  
10          Registry under Section 7-612 of this Code.

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

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

1           (d) Within 30 days after the Secretary mails a request, the  
2 owner to whom it is sent shall furnish the requested  
3 information to the Secretary above the owner's signed  
4 affirmation that such information is true and correct. Proof of  
5 insurance in effect on the verification date, as prescribed by  
6 the Secretary, may be considered by the Secretary to be a  
7 satisfactory response to the request for information.

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

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

1 (f) No random sample selected under this Section shall be  
2 categorized on the basis of race, color, religion, sex,  
3 national origin, ancestry, age, marital status, physical or  
4 mental disability, economic status or geography.

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

6 (625 ILCS 5/7-612 new)

7 Sec. 7-612. Previously Uninsured Motorist Registry.

8 (a) Definitions. As used in this Section:

9 "Previously uninsured motorist" means a person that  
10 has been convicted of violating Section 3-707, 3-708, or  
11 3-710 of this Code, whether or not they owned the vehicle  
12 being operated.

13 "Registry" means the electronic registry of previously  
14 uninsured motorists established under this Section.

15 (b) The Secretary of State shall, not later than July 1,  
16 2014, establish an electronic registry of previously uninsured  
17 motorists to facilitate the random and periodic verification of  
18 compliance with the requirements of Section 7-601 of this Code.  
19 This registry shall include, at a minimum, the following  
20 information:

21 (1) the name, address, driver's license number, and  
22 social security number of the previously uninsured  
23 motorist; and

24 (2) each violation of Section 3-707, 3-708, or 3-710  
25 for which the previously uninsured motorist received a

1 conviction.

2 (c) The Secretary of State shall provide access to the  
3 registry to law enforcement agencies.

4 (d) The Secretary of State shall not remove the name of a  
5 previously uninsured motorist from the registry until 4 years  
6 after the later of the following:

7 (1) the date of the most recent conviction for  
8 violating Section 3-707, 3-708, or 3-710 of this Code; or

9 (2) if the Secretary of State took administrative  
10 action against the previously uninsured motorist under  
11 Section 7-606 of this Code, the date of termination of the  
12 registration suspension.