



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1940

Introduced 2/15/2013, by Sen. Tim Bivins

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-405	from Ch. 95 1/2, par. 3-405
625 ILCS 5/3-415	from Ch. 95 1/2, par. 3-415
625 ILCS 5/3-918 new	

Amends the Illinois Vehicle Code. Provides that individuals that provide false insurance information in connection with an application for issuance or renewal of vehicle registration are guilty of a Class C misdemeanor. Provides that registration will not be issued if certain insurance information is not provided. Requires remittance agents to ask for insurance information in connection with an application for issuance or renewal of vehicle registration and to provide this information to the Secretary of State upon remittance.

LRB098 10560 MLW 40805 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 Sections 3-405 and 3-415 and by adding Section 3-918 as
6 follows:

7 (625 ILCS 5/3-405) (from Ch. 95 1/2, par. 3-405)

8 Sec. 3-405. Application for registration.

9 (a) Every owner of a vehicle subject to registration under
10 this Code shall make application to the Secretary of State for
11 the registration of such vehicle upon the appropriate form or
12 forms furnished by the Secretary. Every such application shall
13 bear the signature of the owner written with pen and ink and
14 contain:

15 1. The name, domicile address, as defined in Section
16 1-115.5 of this Code, (except as otherwise provided in this
17 paragraph 1) and mail address of the owner or business
18 address of the owner if a firm, association or corporation.
19 If the mailing address is a post office box number, the
20 address listed on the driver license record may be used to
21 verify residence. A police officer, a deputy sheriff, an
22 elected sheriff, a law enforcement officer for the
23 Department of State Police, a fire investigator, a state's

1 attorney, an assistant state's attorney, a state's
2 attorney special investigator, or a judicial officer may
3 elect to furnish the address of the headquarters of the
4 governmental entity, police district, or business address
5 where he or she works instead of his or her domicile
6 address, in which case that address shall be deemed to be
7 his or her domicile address for all purposes under this
8 Chapter 3. The spouse and children of a person who may
9 elect under this paragraph 1 to furnish the address of the
10 headquarters of the government entity, police district, or
11 business address where the person works instead of the
12 person's domicile address may, if they reside with that
13 person, also elect to furnish the address of the
14 headquarters of the government entity, police district, or
15 business address where the person works as their domicile
16 address, in which case that address shall be deemed to be
17 their domicile address for all purposes under this Chapter
18 3. In this paragraph 1: (A) "police officer" has the
19 meaning ascribed to "policeman" in Section 10-3-1 of the
20 Illinois Municipal Code; (B) "deputy sheriff" means a
21 deputy sheriff appointed under Section 3-6008 of the
22 Counties Code; (C) "elected sheriff" means a sheriff
23 commissioned pursuant to Section 3-6001 of the Counties
24 Code; (D) "fire investigator" means a person classified as
25 a peace officer under the Peace Officer Fire Investigation
26 Act; (E) "state's attorney", "assistant state's attorney",

1 and "state's attorney special investigator" mean a state's
2 attorney, assistant state's attorney, and state's attorney
3 special investigator commissioned or appointed under
4 Division 3-9 of the Counties Code; and (F) "judicial
5 officer" has the meaning ascribed to it in Section 1-10 of
6 the Judicial Privacy Act.

7 2. A description of the vehicle, including such
8 information as is required in an application for a
9 certificate of title, determined under such standard
10 rating as may be prescribed by the Secretary.

11 3. Information relating to the insurance policy for the
12 motor vehicle, including the name of the insurer which
13 issued the policy, the policy number, and the expiration
14 date of the policy. Registration shall not be issued to
15 persons that submit an application that does not contain
16 this information.

17 4. Such further information as may reasonably be
18 required by the Secretary to enable him to determine
19 whether the vehicle is lawfully entitled to registration
20 and the owner entitled to a certificate of title.

21 5. An affirmation by the applicant that all information
22 set forth is true and correct. If the application is for
23 the registration of a motor vehicle, the applicant also
24 shall affirm that the motor vehicle is insured as required
25 by this Code, that such insurance will be maintained
26 throughout the period for which the motor vehicle shall be

1 registered, and that neither the owner, nor any person
2 operating the motor vehicle with the owner's permission,
3 shall operate the motor vehicle unless the required
4 insurance is in effect. If the person signing the
5 affirmation is not the sole owner of the vehicle, such
6 person shall be deemed to have affirmed on behalf of all
7 the owners of the vehicle. If the person signing the
8 affirmation is not an owner of the vehicle, such person
9 shall be deemed to have affirmed on behalf of the owner or
10 owners of the vehicle. The lack of signature on the
11 application shall not in any manner exempt the owner or
12 owners from any provisions, requirements or penalties of
13 this Code. Any person that knowingly submits false
14 insurance information shall be guilty of a Class C
15 misdemeanor.

16 (b) When such application refers to a new vehicle purchased
17 from a dealer the application shall be accompanied by a
18 Manufacturer's Statement of Origin from the dealer, and a
19 statement showing any lien retained by the dealer.

20 (Source: P.A. 96-580, eff. 1-1-10; 97-847, eff. 1-1-13.)

21 (625 ILCS 5/3-415) (from Ch. 95 1/2, par. 3-415)

22 Sec. 3-415. Application for and renewal of registration.

23 (a) Calendar year. Application for renewal of a vehicle
24 registration shall be made by the owner, as to those vehicles
25 required to be registered on a calendar registration year, not

1 later than December 1 of each year, upon proper application and
2 by payment of the registration fee and tax for such vehicle, as
3 provided by law except that application for renewal of a
4 vehicle registration, as to those vehicles required to be
5 registered on a staggered calendar year basis, shall be made by
6 the owner in the form and manner prescribed by the Secretary of
7 State.

8 (b) Fiscal year. Application for renewal of a vehicle
9 registration shall be made by the owner, as to those vehicles
10 required to be registered on a fiscal registration year, not
11 later than June 1 of each year, upon proper application and by
12 payment of the registration fee and tax for such vehicle as
13 provided by law, except that application for renewal of a
14 vehicle registration, as to those vehicles required to be
15 registered on a staggered fiscal year basis, shall be made by
16 the owner in the form and manner prescribed by the Secretary of
17 State.

18 (c) Two calendar years. Application for renewal of a
19 vehicle registration shall be made by the owner, as to those
20 vehicles required to be registered for 2 calendar years, not
21 later than December 1 of the year preceding commencement of the
22 2-year registration period, except that application for
23 renewal of a vehicle registration, as to those vehicles
24 required to be registered for 2 years on a staggered
25 registration basis, shall be made by the owner in the form and
26 manner prescribed by the Secretary of State.

1 (d) Two fiscal years. Application for renewal of a vehicle
2 registration shall be made by the owner, as to those vehicles
3 required to be registered for 2 fiscal years, not later than
4 June 1 immediately preceding commencement of the 2-year
5 registration period, except that application for renewal of a
6 vehicle registration, as to those vehicles required to be
7 registered for 2 fiscal years on a staggered registration
8 basis, shall be made by the owner in the form and manner
9 prescribed by the Secretary of State.

10 (d-5) Three calendar years. Application for renewal of a
11 vehicle registration shall be made by the owner, as to those
12 vehicles required to be registered for 3 calendar years, not
13 later than December 1 of the year preceding commencement of the
14 3-year registration period.

15 (e) Time of application. The Secretary of State may receive
16 applications for renewal of registration and grant the same and
17 issue new registration cards and plates or registration
18 stickers at any time prior to expiration of registration. No
19 person shall display upon a vehicle, the new registration
20 plates or registration stickers prior to the dates the
21 Secretary of State in his discretion may select.

22 (f) Verification. The Secretary of State may further
23 require, as to vehicles for-hire, that applications be
24 accompanied by verification that fees due under the Illinois
25 Motor Carrier of Property Law, as amended, have been paid.

26 (g) Applications for registration renewal shall include

1 information relating to the insurance policy for the motor
2 vehicle, including the name of the insurer that issued the
3 policy, the policy number, and the expiration date of the
4 policy. Registration shall not be renewed for persons that
5 submit an application that does not contain this information.
6 Any person that knowingly submits false insurance information
7 shall be guilty of a Class C misdemeanor.

8 (Source: P.A. 96-747, eff. 1-1-10.)

9 (625 ILCS 5/3-918 new)

10 Sec. 3-918. Vehicle registration and insurance. Any
11 remittance agent engaged in the business of remitting
12 applications for the issuance or renewal of vehicle
13 registration shall ask applicants for information relating to
14 the insurance policy for the motor vehicle, including the name
15 of the insurer that issued the policy, the policy number, and
16 the expiration date of the policy. This information shall be
17 remitted to the Secretary of State as part of the application.
18 Failure to obtain this information and supply it to the
19 Secretary of State shall subject the remittance agent to
20 suspension or revocation of their license as described in
21 Section 3-907 of this Code.