

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 3-114 and 3-821 as follows:

6 (625 ILCS 5/3-114) (from Ch. 95 1/2, par. 3-114)

7 Sec. 3-114. Transfer by operation of law.

8 (a) If the interest of an owner in a vehicle passes to
9 another other than by voluntary transfer, the transferee shall,
10 except as provided in paragraph (b), promptly mail or deliver
11 within 20 days to the Secretary of State the last certificate
12 of title, if available, proof of the transfer, and his
13 application for a new certificate in the form the Secretary of
14 State prescribes. It shall be unlawful for any person having
15 possession of a certificate of title for a motor vehicle,
16 semi-trailer, or house car by reason of his having a lien or
17 encumbrance on such vehicle, to fail or refuse to deliver such
18 certificate to the owner, upon the satisfaction or discharge of
19 the lien or encumbrance, indicated upon such certificate of
20 title.

21 (b) If the interest of an owner in a vehicle passes to
22 another under the provisions of the Small Estates provisions of
23 the Probate Act of 1975 the transferee shall promptly mail or

1 deliver to the Secretary of State, within 120 days, the last
2 certificate of title, if available, the documentation required
3 under the provisions of the Probate Act of 1975, and an
4 application for certificate of title. The Small Estate
5 Affidavit form shall be furnished by the Secretary of State.
6 The transfer may be to the transferee or to the nominee of the
7 transferee.

8 (c) If the interest of an owner in a vehicle passes to
9 another under other provisions of the Probate Act of 1975, as
10 amended, and the transfer is made by a representative or
11 guardian, such transferee shall promptly mail or deliver to the
12 Secretary of State, the last certificate of title, if
13 available, and a certified copy of the letters of office or
14 guardianship, and an application for certificate of title. Such
15 application shall be made before the estate is closed. The
16 transfer may be to the transferee or to the nominee of the
17 transferee.

18 (d) If the interest of an owner in joint tenancy passes to
19 the other joint tenant with survivorship rights as provided by
20 law, the transferee shall promptly mail or deliver to the
21 Secretary of State, the last certificate of title, if
22 available, proof of death of the one joint tenant and
23 survivorship of the surviving joint tenant, and an application
24 for certificate of title. Such application shall be made within
25 120 days after the death of the joint tenant. The transfer may
26 be to the transferee or to the nominee of the transferee.

1 (d-5) If the interest of an owner passes to the owner's
2 spouse or if the spouse otherwise acquires ownership of the
3 vehicle, then the transferee shall promptly mail or deliver to
4 the Secretary of State, proof of (i) the owner's death; (ii)
5 the transfer or acquisition of ownership; and (iii) proof of
6 the marital relationship between the owner and the transferee,
7 along with the last certificate of title, if available, and an
8 application for certificate of title along with the appropriate
9 fees and taxes, if applicable. The application shall be made
10 within 180 days after the death of the owner.

11 (e) The Secretary of State shall transfer a decedent's
12 vehicle title to any legatee, representative or heir of the
13 decedent who submits to the Secretary a death certificate and
14 an affidavit by an attorney at law on the letterhead stationery
15 of the attorney at law stating the facts of the transfer.

16 (f) Repossession with assignment of title. In all cases
17 wherein a lienholder has repossessed a vehicle by other than
18 judicial process and holds it for resale under a security
19 agreement, and the owner of record has executed an assignment
20 of the existing certificate of title after default, the
21 lienholder may proceed to sell or otherwise dispose of the
22 vehicle as authorized under the Uniform Commercial Code. Upon
23 selling the vehicle to another person, the lienholder need not
24 send the certificate of title to the Secretary of State, but
25 shall promptly and within 20 days mail or deliver to the
26 purchaser as transferee the existing certificate of title for

1 the repossessed vehicle, reflecting the release of the
2 lienholder's security interest in the vehicle. The application
3 for a certificate of title made by the purchaser shall comply
4 with subsection (a) of Section 3-104 and be accompanied by the
5 existing certificate of title for the repossessed vehicle. The
6 lienholder shall execute the assignment and warranty of title
7 showing the name and address of the purchaser in the spaces
8 provided therefor on the certificate of title or as the
9 Secretary of State prescribes. The lienholder shall complete
10 the assignment of title in the certificate of title to reflect
11 the transfer of the vehicle to the lienholder and also a
12 reassignment to reflect the transfer from the lienholder to the
13 purchaser. For this purpose, the lienholder is specifically
14 authorized to complete and execute the space reserved in the
15 certificate of title for a dealer reassignment,
16 notwithstanding that the lienholder is not a licensed dealer.
17 Nothing herein shall be construed to mean that the lienholder
18 is taking title to the repossessed vehicle for purposes of
19 liability for retailer occupation, vehicle use, or other tax
20 with respect to the proceeds from the repossession sale.
21 Delivery of the existing certificate of title to the purchaser
22 shall be deemed disclosure to the purchaser of the owner of the
23 vehicle.

24 (f-5) Repossession without assignment of title. Subject to
25 subsection (f-30), in all cases wherein a lienholder has
26 repossessed a vehicle by other than judicial process and holds

1 it for resale under a security agreement, and the owner of
2 record has not executed an assignment of the existing
3 certificate of title, the lienholder shall comply with the
4 following provisions:

5 (1) Prior to sale, the lienholder shall deliver or mail
6 to the owner at the owner's last known address and to any
7 other lienholder of record, a notice of redemption setting
8 forth the following information: (i) the name of the owner
9 of record and in bold type at or near the top of the notice
10 a statement that the owner's vehicle was repossessed on a
11 specified date for failure to make payments on the loan (or
12 other reason), (ii) a description of the vehicle subject to
13 the lien sufficient to identify it, (iii) the right of the
14 owner to redeem the vehicle, (iv) the lienholder's intent
15 to sell or otherwise dispose of the vehicle after the
16 expiration of 21 days from the date of mailing or delivery
17 of the notice, and (v) the name, address, and telephone
18 number of the lienholder from whom information may be
19 obtained concerning the amount due to redeem the vehicle
20 and from whom the vehicle may be redeemed under Section
21 9-623 of the Uniform Commercial Code. At the lienholder's
22 option, the information required to be set forth in this
23 notice of redemption may be made a part of or accompany the
24 notification of sale or other disposition required under
25 Section 9-611 of the Uniform Commercial Code, but none of
26 the information required by this notice shall be construed

1 to impose any requirement under Article 9 of the Uniform
2 Commercial Code.

3 (2) With respect to the repossession of a vehicle used
4 primarily for personal, family, or household purposes, the
5 lienholder shall also deliver or mail to the owner at the
6 owner's last known address an affidavit of defense. The
7 affidavit of defense shall accompany the notice of
8 redemption required in subdivision (f-5)(1) of this
9 Section. The affidavit of defense shall (i) identify the
10 lienholder, owner, and the vehicle; (ii) provide space for
11 the owner to state the defense claimed by the owner; and
12 (iii) include an acknowledgment by the owner that the owner
13 may be liable to the lienholder for fees, charges, and
14 costs incurred by the lienholder in establishing the
15 insufficiency or invalidity of the owner's defense. To stop
16 the transfer of title, the affidavit of defense must be
17 received by the lienholder no later than 21 days after the
18 date of mailing or delivery of the notice required in
19 subdivision (f-5)(1) of this Section. If the lienholder
20 receives the affidavit from the owner in a timely manner,
21 the lienholder must apply to a court of competent
22 jurisdiction to determine if the lienholder is entitled to
23 possession of the vehicle.

24 (3) Upon selling the vehicle to another person, the
25 lienholder need not send the certificate of title to the
26 Secretary of State, but shall promptly and within 20 days

1 mail or deliver to the purchaser as transferee (i) the
2 existing certificate of title for the repossessed vehicle,
3 reflecting the release of the lienholder's security
4 interest in the vehicle; and (ii) an affidavit of
5 repossession made by or on behalf of the lienholder which
6 provides the following information: that the vehicle was
7 repossessed, a description of the vehicle sufficient to
8 identify it, whether the vehicle has been damaged in excess
9 of 33 1/3% of its fair market value as required under
10 subdivision (b) (3) of Section 3-117.1, that the owner and
11 any other lienholder of record were given the notice
12 required in subdivision (f-5) (1) of this Section, that the
13 owner of record was given the affidavit of defense required
14 in subdivision (f-5) (2) of this Section, that the interest
15 of the owner was lawfully terminated or sold pursuant to
16 the terms of the security agreement, and the purchaser's
17 name and address. If the vehicle is damaged in excess of 33
18 1/3% of its fair market value, the lienholder shall make
19 application for a salvage certificate under Section
20 3-117.1 and transfer the vehicle to a person eligible to
21 receive assignments of salvage certificates identified in
22 Section 3-118.

23 (4) The application for a certificate of title made by
24 the purchaser shall comply with subsection (a) of Section
25 3-104 and be accompanied by the affidavit of repossession
26 furnished by the lienholder and the existing certificate of

1 title for the repossessed vehicle. The lienholder shall
2 execute the assignment and warranty of title showing the
3 name and address of the purchaser in the spaces provided
4 therefor on the certificate of title or as the Secretary of
5 State prescribes. The lienholder shall complete the
6 assignment of title in the certificate of title to reflect
7 the transfer of the vehicle to the lienholder and also a
8 reassignment to reflect the transfer from the lienholder to
9 the purchaser. For this purpose, the lienholder is
10 specifically authorized to execute the assignment on
11 behalf of the owner as seller if the owner has not done so
12 and to complete and execute the space reserved in the
13 certificate of title for a dealer reassignment,
14 notwithstanding that the lienholder is not a licensed
15 dealer. Nothing herein shall be construed to mean that the
16 lienholder is taking title to the repossessed vehicle for
17 purposes of liability for retailer occupation, vehicle
18 use, or other tax with respect to the proceeds from the
19 repossession sale. Delivery of the existing certificate of
20 title to the purchaser shall be deemed disclosure to the
21 purchaser of the owner of the vehicle. In the event the
22 lienholder does not hold the certificate of title for the
23 repossessed vehicle, the lienholder shall make application
24 for and may obtain a new certificate of title in the name
25 of the lienholder upon furnishing information satisfactory
26 to the Secretary of State. Upon receiving the new

1 certificate of title, the lienholder may proceed with the
2 sale described in subdivision (f-5)(3), except that upon
3 selling the vehicle the lienholder shall promptly and
4 within 20 days mail or deliver to the purchaser the new
5 certificate of title reflecting the assignment and
6 transfer of title to the purchaser.

7 (5) Neither the lienholder nor the owner shall file
8 with the Office of the Secretary of State the notice of
9 redemption or affidavit of defense described in
10 subdivisions (f-5)(1) and (f-5)(2) of this Section. The
11 Office of the Secretary of State shall not determine the
12 merits of an owner's affidavit of defense, nor consider any
13 allegations or assertions regarding the validity or
14 invalidity of a lienholder's claim to the vehicle or an
15 owner's asserted defenses to the repossession action.

16 (f-7) Notice of reinstatement in certain cases.

17 (1) Subject to subsection (f-30), if, at the time of
18 repossession by a lienholder that is seeking to transfer
19 title pursuant to subsection (f-5), the owner has paid an
20 amount equal to 30% or more of the deferred payment price
21 or total of payments due, the owner may, within 21 days of
22 the date of repossession, reinstate the contract or loan
23 agreement and recover the vehicle from the lienholder by
24 tendering in a lump sum (i) the total of all unpaid
25 amounts, including any unpaid delinquency or deferral
26 charges due at the date of reinstatement, without

1 acceleration; and (ii) performance necessary to cure any
2 default other than nonpayment of the amounts due; and (iii)
3 all reasonable costs and fees incurred by the lienholder in
4 retaking, holding, and preparing the vehicle for
5 disposition and in arranging for the sale of the vehicle.
6 Reasonable costs and fees incurred by the lienholder
7 include without limitation repossession and storage
8 expenses and, if authorized by the contract or loan
9 agreement, reasonable attorneys' fees and collection
10 agency charges.

11 (2) Tender of payment and performance pursuant to this
12 limited right of reinstatement restores to the owner his
13 rights under the contract or loan agreement as though no
14 default had occurred. The owner has the right to reinstate
15 the contract or loan agreement and recover the vehicle from
16 the lienholder only once under this subsection. The
17 lienholder may, in the lienholder's sole discretion,
18 extend the period during which the owner may reinstate the
19 contract or loan agreement and recover the vehicle beyond
20 the 21 days allowed under this subsection, and the
21 extension shall not subject the lienholder to liability to
22 the owner under the laws of this State.

23 (3) The lienholder shall deliver or mail written notice
24 to the owner at the owner's last known address, within 3
25 business days of the date of repossession, of the owner's
26 right to reinstate the contract or loan agreement and

1 recover the vehicle pursuant to the limited right of
2 reinstatement described in this subsection. At the
3 lienholder's option, the information required to be set
4 forth in this notice of reinstatement may be made part of
5 or accompany the notice of redemption required in
6 subdivision (f-5)(1) of this Section and the notification
7 of sale or other disposition required under Section 9-611
8 of the Uniform Commercial Code, but none of the information
9 required by this notice of reinstatement shall be construed
10 to impose any requirement under Article 9 of the Uniform
11 Commercial Code.

12 (4) The reinstatement period, if applicable, and the
13 redemption period described in subdivision (f-5)(1) of
14 this Section, shall run concurrently if the information
15 required to be set forth in the notice of reinstatement is
16 part of or accompanies the notice of redemption. In any
17 event, the 21 day redemption period described in
18 subdivision (f-5)(1) of this Section shall commence on the
19 date of mailing or delivery to the owner of the information
20 required to be set forth in the notice of redemption, and
21 the 21 day reinstatement period described in this
22 subdivision, if applicable, shall commence on the date of
23 mailing or delivery to the owner of the information
24 required to be set forth in the notice of reinstatement.

25 (5) The Office of the Secretary of State shall not
26 determine the merits of an owner's claim of right to

1 reinstatement, nor consider any allegations or assertions
2 regarding the validity or invalidity of a lienholder's
3 claim to the vehicle or an owner's asserted right to
4 reinstatement. Where a lienholder is subject to licensing
5 and regulatory supervision by the State of Illinois, the
6 lienholder shall be subject to all of the powers and
7 authority of the lienholder's primary State regulator to
8 enforce compliance with the procedures set forth in this
9 subsection (f-7).

10 (f-10) Repossession by judicial process. In all cases
11 wherein a lienholder has repossessed a vehicle by judicial
12 process and holds it for resale under a security agreement,
13 order for replevin, or other court order establishing the
14 lienholder's right to possession of the vehicle, the lienholder
15 may proceed to sell or otherwise dispose of the vehicle as
16 authorized under the Uniform Commercial Code or the court
17 order. Upon selling the vehicle to another person, the
18 lienholder need not send the certificate of title to the
19 Secretary of State, but shall promptly and within 20 days mail
20 or deliver to the purchaser as transferee (i) the existing
21 certificate of title for the repossessed vehicle reflecting the
22 release of the lienholder's security interest in the vehicle;
23 (ii) a certified copy of the court order; and (iii) a bill of
24 sale identifying the new owner's name and address and the year,
25 make, model, and vehicle identification number of the vehicle.
26 The application for a certificate of title made by the

1 purchaser shall comply with subsection (a) of Section 3-104 and
2 be accompanied by the certified copy of the court order
3 furnished by the lienholder and the existing certificate of
4 title for the repossessed vehicle. The lienholder shall execute
5 the assignment and warranty of title showing the name and
6 address of the purchaser in the spaces provided therefor on the
7 certificate of title or as the Secretary of State prescribes.
8 The lienholder shall complete the assignment of title in the
9 certificate of title to reflect the transfer of the vehicle to
10 the lienholder and also a reassignment to reflect the transfer
11 from the lienholder to the purchaser. For this purpose, the
12 lienholder is specifically authorized to execute the
13 assignment on behalf of the owner as seller if the owner has
14 not done so and to complete and execute the space reserved in
15 the certificate of title for a dealer reassignment,
16 notwithstanding that the lienholder is not a licensed dealer.
17 Nothing herein shall be construed to mean that the lienholder
18 is taking title to the repossessed vehicle for purposes of
19 liability for retailer occupation, vehicle use, or other tax
20 with respect to the proceeds from the repossession sale.
21 Delivery of the existing certificate of title to the purchaser
22 shall be deemed disclosure to the purchaser of the owner of the
23 vehicle. In the event the lienholder does not hold the
24 certificate of title for the repossessed vehicle, the
25 lienholder shall make application for and may obtain a new
26 certificate of title in the name of the lienholder upon

1 furnishing information satisfactory to the Secretary of State.
2 Upon receiving the new certificate of title, the lienholder may
3 proceed with the sale described in this subsection, except that
4 upon selling the vehicle the lienholder shall promptly and
5 within 20 days mail or deliver to the purchaser the new
6 certificate of title reflecting the assignment and transfer of
7 title to the purchaser.

8 (f-15) The Secretary of State shall not issue a certificate
9 of title to a purchaser under subsection (f), (f-5), or (f-10)
10 of this Section, unless the person from whom the vehicle has
11 been repossessed by the lienholder is shown to be the last
12 registered owner of the motor vehicle. The Secretary of State
13 may provide by rule for the standards to be followed by a
14 lienholder in assigning and transferring certificates of title
15 with respect to repossessed vehicles.

16 (f-20) If applying for a salvage certificate or a junking
17 certificate, the lienholder shall within 20 days make an
18 application to the Secretary of State for a salvage certificate
19 or a junking certificate, as set forth in this Code. The
20 Secretary of State shall not issue a salvage certificate or a
21 junking certificate to such lienholder unless the person from
22 whom such vehicle has been repossessed is shown to be the last
23 registered owner of such motor vehicle and such lienholder
24 establishes to the satisfaction of the Secretary of State that
25 he is entitled to such salvage certificate or junking
26 certificate. The Secretary of State may provide by rule for the

1 standards to be followed by a lienholder in order to obtain a
2 salvage certificate or junking certificate for a repossessed
3 vehicle.

4 (f-25) If the interest of an owner in a mobile home, as
5 defined in the Mobile Home Local Services Tax Act, passes to
6 another under the provisions of the Mobile Home Local Services
7 Tax Enforcement Act, the transferee shall promptly mail or
8 deliver to the Secretary of State (i) the last certificate of
9 title, if available, (ii) a certified copy of the court order
10 ordering the transfer of title, and (iii) an application for
11 certificate of title.

12 (f-30) Bankruptcy. If the repossessed vehicle is the
13 subject of a bankruptcy proceeding or discharge:

14 (1) the lienholder may proceed to sell or otherwise
15 dispose of the vehicle as authorized by the Bankruptcy Code
16 and the Uniform Commercial Code;

17 (2) the notice of redemption, affidavit of defense, and
18 notice of reinstatement otherwise required to be sent by
19 the lienholder to the owner of record or other lienholder
20 of record under this Section are not required to be
21 delivered or mailed;

22 (3) the requirement to delay disposition of the vehicle
23 for 21 days, (i) from the mailing or delivery of the notice
24 of redemption under subdivision (f-5)(1) of this Section,
25 (ii) from the mailing or delivery of the affidavit of
26 defense under subdivision (f-5)(2) of this Section, or

1 (iii) from the date of repossession when the owner is
2 entitled to a notice of reinstatement under subsection
3 (f-7) of this Section, does not apply;

4 (4) the affidavit of repossession that is required
5 under subdivision (f-5)(3) shall contain a notation of
6 "bankruptcy" where the affidavit requires the date of the
7 mailing or delivery of the notice of redemption. The
8 notation of "bankruptcy" means the lienholder makes no
9 sworn representations regarding the mailing or delivery of
10 the notice of redemption or affidavit of defense or
11 lienholder's compliance with the requirements that
12 otherwise apply to the notices listed in this subsection
13 (f-30), and makes no sworn representation that the
14 lienholder assumes liability or costs for any litigation
15 that may arise from the issuance of a certificate of title
16 based on the excluded representations;

17 (5) the right of redemption, the right to assert a
18 defense to the transfer of title, and reinstatement rights
19 under this Section do not apply; and

20 (6) references to judicial process and court orders in
21 subsection (f-10) of this Section do not include bankruptcy
22 proceedings or orders.

23 (g) A person holding a certificate of title whose interest
24 in the vehicle has been extinguished or transferred other than
25 by voluntary transfer shall mail or deliver the certificate,
26 within 20 days upon request of the Secretary of State. The

1 delivery of the certificate pursuant to the request of the
2 Secretary of State does not affect the rights of the person
3 surrendering the certificate, and the action of the Secretary
4 of State in issuing a new certificate of title as provided
5 herein is not conclusive upon the rights of an owner or
6 lienholder named in the old certificate.

7 (h) The Secretary of State may decline to process any
8 application for a transfer of an interest in a vehicle
9 hereunder if any fees or taxes due under this Act from the
10 transferor or the transferee have not been paid upon reasonable
11 notice and demand.

12 (i) The Secretary of State shall not be held civilly or
13 criminally liable to any person because any purported
14 transferor may not have had the power or authority to make a
15 transfer of any interest in any vehicle or because a
16 certificate of title issued in error is subsequently used to
17 commit a fraudulent act.

18 (Source: P.A. 94-411, eff. 1-1-06.)

19 (625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)

20 Sec. 3-821. Miscellaneous Registration and Title Fees.

21 (a) The fee to be paid to the Secretary of State for the
22 following certificates, registrations or evidences of proper
23 registration, or for corrected or duplicate documents shall be
24 in accordance with the following schedule:

25 Certificate of Title, except for an all-terrain

1	vehicle or off-highway motorcycle	\$95
2	Certificate of Title for an all-terrain vehicle	
3	or off-highway motorcycle	\$30
4	Certificate of Title for an all-terrain vehicle	
5	or off-highway motorcycle used for production	
6	agriculture, or accepted by a dealer in trade	13
7	Certificate of Title for a low-speed vehicle	30
8	Transfer of Registration or any evidence of	
9	proper registration	\$25
10	Duplicate Registration Card for plates or other	
11	evidence of proper registration	3
12	Duplicate Registration Sticker or Stickers, each	20
13	Duplicate Certificate of Title	95
14	Corrected Registration Card or Card for other	
15	evidence of proper registration	3
16	Corrected Certificate of Title	95
17	Salvage Certificate	4
18	Fleet Reciprocity Permit	15
19	Prorate Decal	1
20	Prorate Backing Plate	3
21	Special Corrected Certificate of Title	15
22	Expedited Title Service (to be charged in addition	
23	to other applicable fees)	30
24	Dealer Lien Release Certificate of Title	20
25	A special corrected certificate of title shall be issued	
26	(i) to remove a co-owner's name due to the death of the	

1 co-owner, to transfer title to a spouse if the decedent-spouse
2 was the sole owner on the title, or due to a divorce or (ii) to
3 change a co-owner's name due to a marriage.

4 There shall be no fee paid for a Junking Certificate.

5 There shall be no fee paid for a certificate of title
6 issued to a county when the vehicle is forfeited to the county
7 under Article 36 of the Criminal Code of 2012.

8 (a-5) The Secretary of State may revoke a certificate of
9 title and registration card and issue a corrected certificate
10 of title and registration card, at no fee to the vehicle owner
11 or lienholder, if there is proof that the vehicle
12 identification number is erroneously shown on the original
13 certificate of title.

14 (a-10) The Secretary of State may issue, in connection with
15 the sale of a motor vehicle, a corrected title to a motor
16 vehicle dealer upon application and submittal of a lien release
17 letter from the lienholder listed in the files of the
18 Secretary. In the case of a title issued by another state, the
19 dealer must submit proof from the state that issued the last
20 title. The corrected title, which shall be known as a dealer
21 lien release certificate of title, shall be issued in the name
22 of the vehicle owner without the named lienholder. If the motor
23 vehicle is currently titled in a state other than Illinois, the
24 applicant must submit either (i) a letter from the current
25 lienholder releasing the lien and stating that the lienholder
26 has possession of the title; or (ii) a letter from the current

1 lienholder releasing the lien and a copy of the records of the
2 department of motor vehicles for the state in which the vehicle
3 is titled, showing that the vehicle is titled in the name of
4 the applicant and that no liens are recorded other than the
5 lien for which a release has been submitted. The fee for the
6 dealer lien release certificate of title is \$20.

7 (b) The Secretary may prescribe the maximum service charge
8 to be imposed upon an applicant for renewal of a registration
9 by any person authorized by law to receive and remit or
10 transmit to the Secretary such renewal application and fees
11 therewith.

12 (c) If payment is delivered to the Office of the Secretary
13 of State as payment of any fee or tax under this Code, and such
14 payment is not honored for any reason, the registrant or other
15 person tendering the payment remains liable for the payment of
16 such fee or tax. The Secretary of State may assess a service
17 charge of \$25 in addition to the fee or tax due and owing for
18 all dishonored payments.

19 If the total amount then due and owing exceeds the sum of
20 \$100 and has not been paid in full within 60 days from the date
21 such fee or tax became due to the Secretary of State, the
22 Secretary of State shall assess a penalty of 25% of such amount
23 remaining unpaid.

24 All amounts payable under this Section shall be computed to
25 the nearest dollar. Out of each fee collected for dishonored
26 payments, \$5 shall be deposited in the Secretary of State

1 Special Services Fund.

2 (d) The minimum fee and tax to be paid by any applicant for
3 apportionment of a fleet of vehicles under this Code shall be
4 \$15 if the application was filed on or before the date
5 specified by the Secretary together with fees and taxes due. If
6 an application and the fees or taxes due are filed after the
7 date specified by the Secretary, the Secretary may prescribe
8 the payment of interest at the rate of 1/2 of 1% per month or
9 fraction thereof after such due date and a minimum of \$8.

10 (e) Trucks, truck tractors, truck tractors with loads, and
11 motor buses, any one of which having a combined total weight in
12 excess of 12,000 lbs. shall file an application for a Fleet
13 Reciprocity Permit issued by the Secretary of State. This
14 permit shall be in the possession of any driver operating a
15 vehicle on Illinois highways. Any foreign licensed vehicle of
16 the second division operating at any time in Illinois without a
17 Fleet Reciprocity Permit or other proper Illinois
18 registration, shall subject the operator to the penalties
19 provided in Section 3-834 of this Code. For the purposes of
20 this Code, "Fleet Reciprocity Permit" means any second division
21 motor vehicle with a foreign license and used only in
22 interstate transportation of goods. The fee for such permit
23 shall be \$15 per fleet which shall include all vehicles of the
24 fleet being registered.

25 (f) For purposes of this Section, "all-terrain vehicle or
26 off-highway motorcycle used for production agriculture" means

1 any all-terrain vehicle or off-highway motorcycle used in the
2 raising of or the propagation of livestock, crops for sale for
3 human consumption, crops for livestock consumption, and
4 production seed stock grown for the propagation of feed grains
5 and the husbandry of animals or for the purpose of providing a
6 food product, including the husbandry of blood stock as a main
7 source of providing a food product. "All-terrain vehicle or
8 off-highway motorcycle used in production agriculture" also
9 means any all-terrain vehicle or off-highway motorcycle used in
10 animal husbandry, floriculture, aquaculture, horticulture, and
11 viticulture.

12 (g) All of the proceeds of the additional fees imposed by
13 Public Act 96-34 shall be deposited into the Capital Projects
14 Fund.

15 (Source: P.A. 96-34, eff. 7-13-09; 96-554, eff. 1-1-10; 96-653,
16 eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1274, eff. 7-26-10;
17 97-835, eff. 1-1-13; 97-838, eff. 7-20-12; 97-1150, eff.
18 1-25-13.)