

AN ACT concerning transportation.

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

Section 5. The Freedom of Information Act is amended by changing Section 7.5 as follows:

(5 ILCS 140/7.5)

Sec. 7.5. Statutory exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(d) Information and records held by the Department of Public Health and its authorized representatives relating

to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

(e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(f) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

(i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(j) Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act.

(k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(m) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act. This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of

the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

(q) Information prohibited from being disclosed by the Personnel Records Review Act.

(r) Information prohibited from being disclosed by the Illinois School Student Records Act.

(s) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(t) All identified or deidentified health information in the form of health data or medical records contained in, stored in, submitted to, transferred by, or released from the Illinois Health Information Exchange, and identified or deidentified health information in the form of health data and medical records of the Illinois Health Information Exchange in the possession of the Illinois Health Information Exchange Authority due to its administration of the Illinois Health Information Exchange. The terms "identified" and "deidentified" shall be given the same meaning as in the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, or any subsequent amendments thereto, and any regulations promulgated thereunder.

(u) Records and information provided to an independent team of experts under Brian's Law.

(v) Names and information of people who have applied

for or received Firearm Owner's Identification Cards under the Firearm Owners Identification Card Act or applied for or received a concealed carry license under the Firearm Concealed Carry Act, unless otherwise authorized by the Firearm Concealed Carry Act; and databases under the Firearm Concealed Carry Act, records of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act, and law enforcement agency objections under the Firearm Concealed Carry Act.

(w) Personally identifiable information which is exempted from disclosure under subsection (g) of Section 19.1 of the Toll Highway Act.

(x) Information which is exempted from disclosure under Section 5-1014.3 of the Counties Code or Section 8-11-21 of the Illinois Municipal Code.

(y) Confidential information under the Adult Protective Services Act and its predecessor enabling statute, the Elder Abuse and Neglect Act, including information about the identity and administrative finding against any caregiver of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult maintained in the Registry established under Section 7.5 of the Adult Protective Services Act.

(z) Records and information provided to a fatality review team or the Illinois Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services

Act.

(aa) Information which is exempted from disclosure under Section 2.37 of the Wildlife Code.

(bb) Information which is or was prohibited from disclosure by the Juvenile Court Act of 1987.

(cc) Recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act.

(dd) Information that is prohibited from being disclosed under Section 45 of the Condominium and Common Interest Community Ombudsperson Act.

(ee) ~~(ed)~~ Information that is exempted from disclosure under Section 30.1 of the Pharmacy Practice Act.

(ff) Information that is prohibited from being disclosed under Section 7-603.5 of the Illinois Vehicle Code.

(Source: P.A. 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; 98-756, eff. 7-16-14; 98-1039, eff. 8-25-14; 98-1045, eff. 8-25-14; 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352, eff. 1-1-16; 99-642, eff. 7-28-16; 99-776, eff. 8-12-16; 99-863, eff. 8-19-16; revised 9-1-16.)

Section 10. The Illinois Criminal Justice Information Act is amended by changing Section 7 as follows:

(20 ILCS 3930/7) (from Ch. 38, par. 210-7)

Sec. 7. Powers and Duties. The Authority shall have the following powers, duties and responsibilities:

(a) To develop and operate comprehensive information systems for the improvement and coordination of all aspects of law enforcement, prosecution and corrections;

(b) To define, develop, evaluate and correlate State and local programs and projects associated with the improvement of law enforcement and the administration of criminal justice;

(c) To act as a central repository and clearing house for federal, state and local research studies, plans, projects, proposals and other information relating to all aspects of criminal justice system improvement and to encourage educational programs for citizen support of State and local efforts to make such improvements;

(d) To undertake research studies to aid in accomplishing its purposes;

(e) To monitor the operation of existing criminal justice information systems in order to protect the constitutional rights and privacy of individuals about whom criminal history record information has been collected;

(f) To provide an effective administrative forum for the protection of the rights of individuals concerning criminal history record information;

(g) To issue regulations, guidelines and procedures

which ensure the privacy and security of criminal history record information consistent with State and federal laws;

(h) To act as the sole administrative appeal body in the State of Illinois to conduct hearings and make final determinations concerning individual challenges to the completeness and accuracy of criminal history record information;

(i) To act as the sole, official, criminal justice body in the State of Illinois to conduct annual and periodic audits of the procedures, policies, and practices of the State central repositories for criminal history record information to verify compliance with federal and state laws and regulations governing such information;

(j) To advise the Authority's Statistical Analysis Center;

(k) To apply for, receive, establish priorities for, allocate, disburse and spend grants of funds that are made available by and received on or after January 1, 1983 from private sources or from the United States pursuant to the federal Crime Control Act of 1973, as amended, and similar federal legislation, and to enter into agreements with the United States government to further the purposes of this Act, or as may be required as a condition of obtaining federal funds;

(l) To receive, expend and account for such funds of the State of Illinois as may be made available to further



the purposes of this Act;

(m) To enter into contracts and to cooperate with units of general local government or combinations of such units, State agencies, and criminal justice system agencies of other states for the purpose of carrying out the duties of the Authority imposed by this Act or by the federal Crime Control Act of 1973, as amended;

(n) To enter into contracts and cooperate with units of general local government outside of Illinois, other states' agencies, and private organizations outside of Illinois to provide computer software or design that has been developed for the Illinois criminal justice system, or to participate in the cooperative development or design of new software or systems to be used by the Illinois criminal justice system. Revenues received as a result of such arrangements shall be deposited in the Criminal Justice Information Systems Trust Fund.

(o) To establish general policies concerning criminal justice information systems and to promulgate such rules, regulations and procedures as are necessary to the operation of the Authority and to the uniform consideration of appeals and audits;

(p) To advise and to make recommendations to the Governor and the General Assembly on policies relating to criminal justice information systems;

(q) To direct all other agencies under the jurisdiction

of the Governor to provide whatever assistance and information the Authority may lawfully require to carry out its functions;

(r) To exercise any other powers that are reasonable and necessary to fulfill the responsibilities of the Authority under this Act and to comply with the requirements of applicable federal law or regulation;

(s) To exercise the rights, powers and duties which have been vested in the Authority by the "Illinois Uniform Conviction Information Act", enacted by the 85th General Assembly, as hereafter amended;

(t) (Blank); ~~To exercise the rights, powers and duties which have been vested in the Authority by the Illinois Motor Vehicle Theft Prevention Act;~~

(u) To exercise the rights, powers, and duties vested in the Authority by the Illinois Public Safety Agency Network Act; and

(v) To provide technical assistance in the form of training to local governmental entities within Illinois requesting such assistance for the purposes of procuring grants for gang intervention and gang prevention programs or other criminal justice programs from the United States Department of Justice.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of

Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of "An Act to revise the law in relation to the General Assembly", approved February 25, 1874, as amended, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

(Source: P.A. 97-435, eff. 1-1-12.)

Section 15. The Illinois Motor Vehicle Theft Prevention Act is amended by changing Sections 1, 2, 3, 4, 6, 7, 8, 8.5, and 12 as follows:

(20 ILCS 4005/1) (from Ch. 95 1/2, par. 1301)

(Section scheduled to be repealed on January 1, 2020)

Sec. 1. This Act shall be known as the Illinois Motor Vehicle Theft Prevention and Insurance Verification Act.

(Source: P.A. 86-1408.)

(20 ILCS 4005/2) (from Ch. 95 1/2, par. 1302)

(Section scheduled to be repealed on January 1, 2020)

Sec. 2. The purpose of this Act is to prevent, combat and reduce motor vehicle theft in Illinois; to improve and support motor vehicle theft law enforcement, prosecution and administration of motor vehicle theft and insurance

verification laws by establishing statewide planning capabilities for and coordination of financial resources.

(Source: P.A. 86-1408.)

(20 ILCS 4005/3) (from Ch. 95 1/2, par. 1303)

(Section scheduled to be repealed on January 1, 2020)

Sec. 3. As used in this Act:

(a) (Blank). ~~"Authority" means the Illinois Criminal Justice Information Authority.~~

(b) "Council" means the Illinois Motor Vehicle Theft Prevention and Insurance Verification Council, ~~established within the Authority by this Act.~~

(b-2) "Director" means the Director of the Secretary of State Department of Police.

(b-5) "Police" means the Secretary of State Department of Police.

(b-7) "Secretary" means the Secretary of State.

(c) "Trust Fund" means the Motor Vehicle Theft Prevention and Insurance Verification Trust Fund.

(Source: P.A. 86-1408.)

(20 ILCS 4005/4) (from Ch. 95 1/2, par. 1304)

(Section scheduled to be repealed on January 1, 2020)

Sec. 4. There is hereby created ~~within the Authority~~ an Illinois Motor Vehicle Theft Prevention and Insurance Verification Council, which shall exercise its powers, duties

and responsibilities ~~independently of the Authority~~. There shall be 11 members of the Council consisting of the Secretary of State or his designee, the Director of the Department of State Police, the State's Attorney of Cook County, the Superintendent of the Chicago Police Department, and the following 7 additional members, each of whom shall be appointed by the Secretary of State ~~Governor~~: a state's attorney of a county other than Cook, a chief executive law enforcement official from a jurisdiction other than the City of Chicago, 5 representatives of insurers authorized to write motor vehicle insurance in this State, all of whom shall be domiciled in this State.

The Director ~~Governor from time to time~~ shall be ~~designate~~ the Chairman of the Council ~~from the membership~~. All members of the Council appointed by the Secretary ~~Governor~~ shall serve at the discretion of the Secretary ~~Governor~~ for a term not to exceed 4 years. ~~The initial appointed members of the Council shall serve from January 1, 1991 until the third Monday in January, 1995 or until their successors are appointed.~~ The Council shall meet at least quarterly.

(Source: P.A. 89-277, eff. 8-10-95.)

(20 ILCS 4005/6) (from Ch. 95 1/2, par. 1306)

(Section scheduled to be repealed on January 1, 2020)

Sec. 6. The Secretary ~~Executive Director of the Authority~~ shall employ, in accordance with the provisions of the Illinois

Personnel Code, such administrative, professional, clerical, and other personnel as may be required and may organize such staff as may be appropriate to effectuate the purposes of this Act.

(Source: P.A. 86-1408.)

(20 ILCS 4005/7) (from Ch. 95 1/2, par. 1307)

(Section scheduled to be repealed on January 1, 2020)

Sec. 7. The Council shall have the following powers, duties and responsibilities:

(a) To apply for, solicit, receive, establish priorities for, allocate, disburse, contract for, and spend funds that are made available to the Council from any source to effectuate the purposes of this Act.

(b) To make grants and to provide financial support for federal and State agencies, units of local government, corporations, and neighborhood, community and business organizations to effectuate the purposes of this Act, to deter and investigate recyclable metal theft, and to law enforcement agencies to assist in the prosecution of recyclable metal theft.

(c) To assess the scope of the problem of motor vehicle theft, including particular areas of the State where the problem is greatest and to conduct impact analyses of State and local criminal justice policies, programs, plans and methods for combating the problem.

(d) To develop and sponsor the implementation of statewide plans and strategies to combat motor vehicle theft and to improve the administration of the motor vehicle theft laws and provide an effective forum for identification of critical problems associated with motor vehicle theft.

(e) To coordinate the development, adoption and implementation of plans and strategies relating to interagency or intergovernmental cooperation with respect to motor vehicle theft law enforcement.

(f) To adopt ~~promulgate~~ rules or regulations necessary to ensure that appropriate agencies, units of government, private organizations and combinations thereof are included in the development and implementation of strategies or plans adopted pursuant to this Act and to adopt ~~promulgate~~ rules or regulations as may otherwise be necessary to effectuate the purposes of this Act.

(g) To report annually, on or before January 1, 2019 ~~April 1, 1992~~ to the Governor, General Assembly, and, upon request, to members of the general public on the Council's activities in the preceding year.

(h) To exercise any other powers that are reasonable, necessary or convenient to fulfill its responsibilities, to carry out and to effectuate the objectives and purposes of the Council and the provisions of this Act, and to comply with the requirements of applicable federal or State

laws, rules, or regulations; provided, however, that these ~~such~~ powers shall not include the power to subpoena or arrest.

(i) To provide funding to the Secretary for the creation, implementation, and maintenance of an electronic motor vehicle liability insurance policy verification program.

(Source: P.A. 86-1408.)

(20 ILCS 4005/8) (from Ch. 95 1/2, par. 1308)

(Section scheduled to be repealed on January 1, 2020)

Sec. 8. (a) A special fund is created in the State Treasury known as the Motor Vehicle Theft Prevention and Insurance Verification Trust Fund, which shall be administered by the Secretary ~~Executive Director of the Authority~~ at the direction of the Council. All interest earned from the investment or deposit of monies accumulated in the Trust Fund shall, pursuant to Section 4.1 of the State Finance Act, be deposited in the Trust Fund.

(b) Money deposited in this Trust Fund shall not be considered general revenue of the State of Illinois.

(c) Money deposited in the Trust Fund shall be used only to enhance efforts to effectuate the purposes of this Act as determined by the Council and shall not be appropriated, loaned or in any manner transferred to the General Revenue Fund of the State of Illinois.



(d) Prior to April 1, 1991, and prior to April 1 of each year thereafter, each insurer engaged in writing private passenger motor vehicle insurance coverages which are included in Class 2 and Class 3 of Section 4 of the Illinois Insurance Code, as a condition of its authority to transact business in this State, may collect and shall pay into the Trust Fund an amount equal to \$1.00, or a lesser amount determined by the Council, multiplied by the insurer's total earned car years of private passenger motor vehicle insurance policies providing physical damage insurance coverage written in this State during the preceding calendar year.

(e) Money in the Trust Fund shall be expended as follows:

(1) To pay the Secretary's ~~Authority's~~ costs to administer the Council and the Trust Fund, but for this purpose in an amount not to exceed 10% ~~ten percent~~ in any one fiscal year of the amount collected pursuant to paragraph (d) of this Section in that same fiscal year.

(2) To achieve the purposes and objectives of this Act, which may include, but not be limited to, the following:

(A) To provide financial support to law enforcement and correctional agencies, prosecutors, and the judiciary for programs designed to reduce motor vehicle theft and to improve the administration of motor vehicle theft laws.

(B) To provide financial support for federal and State agencies, units of local government,

corporations and neighborhood, community or business organizations for programs designed to reduce motor vehicle theft and to improve the administration of motor vehicle theft laws.

(C) To provide financial support to conduct programs designed to inform owners of motor vehicles about the financial and social costs of motor vehicle theft and to suggest to those owners methods for preventing motor vehicle theft.

(D) To provide financial support for plans, programs and projects designed to achieve the purposes of this Act.

(3) To provide funding to the Secretary's Vehicle Services Department for the creation, implementation, and maintenance of an electronic motor vehicle liability insurance policy verification program by allocating no more than 75% of each dollar collected for the first calendar year after the effective date of this amendatory Act of the 100th General Assembly and no more than 50% of each dollar collected for every other year after the first calendar year. The Secretary shall distribute the funds to the Vehicle Services Department at the beginning of each calendar year.

(f) Insurers contributing to the Trust Fund shall have a property interest in the unexpended money in the Trust Fund, which property interest shall not be retroactively changed or

extinguished by the General Assembly.

(g) In the event the Trust Fund were to be discontinued or the Council were to be dissolved by act of the General Assembly or by operation of law, then, notwithstanding the provisions of Section 5 of the State Finance Act, any balance remaining therein shall be returned to the insurers writing private passenger motor vehicle insurance in proportion to their financial contributions to the Trust Fund and any assets of the Council shall be liquidated and returned in the same manner after deduction of administrative costs.

(Source: P.A. 88-452; 89-277, eff. 8-10-95.)

(20 ILCS 4005/8.5)

(Section scheduled to be repealed on January 1, 2020)

Sec. 8.5. State Police Motor Vehicle Theft Prevention Trust Fund. The State Police Motor Vehicle Theft Prevention Trust Fund is created as a trust fund in the State treasury. The State Treasurer shall be the custodian of the Trust Fund. The Trust Fund is established to receive funds from the Illinois Motor Vehicle Theft Prevention and Insurance Verification Council. All interest earned from the investment or deposit of moneys accumulated in the Trust Fund shall be deposited into the Trust Fund. Moneys in the Trust Fund shall be used by the Department of State Police for motor vehicle theft prevention purposes.

(Source: P.A. 97-116, eff. 1-1-12.)

(20 ILCS 4005/12)

Sec. 12. Repeal. Sections 1 through ~~9 and Section~~ 11 are repealed January 1, 2025 ~~2020~~.

(Source: P.A. 99-251, eff. 1-1-16.)

Section 20. The State Finance Act is amended by changing Sections 5 and 5.295 as follows:

(30 ILCS 105/5) (from Ch. 127, par. 141)

Sec. 5. Special funds.

(a) There are special funds in the State Treasury designated as specified in the Sections which succeed this Section 5 and precede Section 6.

(b) Except as provided in the Illinois Motor Vehicle Theft Prevention and Insurance Verification Act, when any special fund in the State Treasury is discontinued by an Act of the General Assembly, any balance remaining therein on the effective date of such Act shall be transferred to the General Revenue Fund, or to such other fund as such Act shall provide. Warrants outstanding against such discontinued fund at the time of the transfer of any such balance therein shall be paid out of the fund to which the transfer was made.

(c) When any special fund in the State Treasury has been inactive for 18 months or longer, the fund is automatically terminated by operation of law and the balance remaining in

such fund shall be transferred by the Comptroller to the General Revenue Fund. When a special fund has been terminated by operation of law as provided in this Section, the General Assembly shall repeal or amend all Sections of the statutes creating or otherwise referring to that fund.

The Comptroller shall be allowed the discretion to maintain or dissolve any federal trust fund which has been inactive for 18 months or longer.

(d) (Blank).

(e) (Blank).

(Source: P.A. 90-372, eff. 7-1-98.)

(30 ILCS 105/5.295) (from Ch. 127, par. 141.295)

Sec. 5.295. The Motor Vehicle Theft Prevention and Insurance Verification Trust Fund.

(Source: P.A. 86-1408; 86-1475.)

Section 25. The Illinois Vehicle Code is amended by changing Sections 4-109, 7-604, and 7-607 and by adding Section 7-603.5 as follows:

(625 ILCS 5/4-109)

Sec. 4-109. Motor Vehicle Theft Prevention Program. The Secretary of State, in conjunction with the Motor Vehicle Theft Prevention and Insurance Verification Council, is hereby authorized to establish and operate a Motor Vehicle Theft

Prevention Program as follows:

(a) Voluntary program participation.

(b) The registered owner of a motor vehicle interested in participating in the program shall sign an informed consent agreement designed by the Secretary of State under subsection (e) of this Section indicating that the motor vehicle registered to him is not normally operated between the hours of 1:00 a.m. and 5:00 a.m. The form and fee, if any, shall be submitted to the Secretary of State for processing.

(c) Upon processing the form, the Secretary of State shall issue to the registered owner a decal. The registered owner shall affix the decal in a conspicuous place on his motor vehicle as prescribed by the Secretary of State.

(d) Whenever any law enforcement officer shall see a motor vehicle displaying a decal issued under the provisions of subsection (c) of this Section being operated upon the public highways of this State between the hours of 1:00 a.m. and 5:00 a.m., the officer is authorized to stop that motor vehicle and to request the driver to produce a valid driver's license and motor vehicle registration card if required to be carried in the vehicle. Whenever the operator of a motor vehicle displaying a decal is unable to produce the documentation set forth in this Section, the police officer shall investigate further to determine if the person operating the motor vehicle is the registered owner or has the authorization of the owner to operate the vehicle.

(e) The Secretary of State, in consultation with the Director of the Department of State Police and Motor Vehicle Theft Prevention and Insurance Verification Council, shall design the manner and form of the informed consent agreement required under subsection (b) of this Section and the decal required under subsection (c) of this Section.

(f) The Secretary of State shall provide for the recording of registered owners of motor vehicles who participate in the program. The records shall be available to all law enforcement departments, agencies, and forces. The Secretary of State shall cooperate with and assist all law enforcement officers and other agencies in tracing or examining any questionable motor vehicles in order to determine the ownership of the motor vehicles.

(g) A fee not to exceed \$10 may be charged for the informed consent form and decal provided under this Section. The fee, if any, shall be set by the Motor Vehicle Theft Prevention and Insurance Verification Council and shall be collected by the Secretary of State and deposited into the Motor Vehicle Theft Prevention and Insurance Verification Trust Fund.

(h) The Secretary of State, in consultation with the Director of the Department of State Police and the Motor Vehicle Theft Prevention and Insurance Verification Council shall promulgate rules and regulations to effectuate the purposes of this Section.

(Source: P.A. 88-128; 88-684, eff. 1-24-95.)

(625 ILCS 5/7-603.5 new)

Sec. 7-603.5. Electronic verification of a liability insurance policy.

(a) The Secretary may implement a program of electronic motor vehicle liability insurance policy verification for motor vehicles subject to Section 7-601 of this Code for the purpose of verifying whether or not the motor vehicle is insured. The development and implementation of the program shall be consistent with the standards and procedures of a nationwide organization whose primary membership consists of individual insurance companies and insurance trade associations. The program shall include, but is not limited to:

(1) a requirement that an insurance company authorized to sell motor vehicle liability insurance in this State shall make available, in a format designated by the Secretary that is consistent with a nationwide organization whose primary membership consists of individual insurance companies and insurance trade organizations, to the Secretary for each motor vehicle liability insurance policy issued by the company the following information:

(A) the name of the policy holder;

(B) the make, model, year, and vehicle identification number of the covered motor vehicle;

(C) the policy number;



(D) the policy effective date;

(E) the insurance company's National Association of Insurance Commissioner's number; and

(F) any other information the Secretary deems necessary to match an eligible vehicle with an insurance policy;

(2) a method for searching motor vehicle liability insurance policies issued and in effect in this State by using the information under paragraph (1) of this subsection (a);

(3) a requirement that at least twice per calendar year, the Secretary shall verify the existence of a liability insurance policy for every registered motor vehicle subject to Section 7-601 of this Code; and if the Secretary is unable to verify the existence of a liability insurance policy, the Secretary shall, by U.S. mail or electronic mail, send the vehicle owner a written notice allowing the vehicle owner 30 calendar days to provide proof of insurance on the date of attempted verification, or to provide proof that the vehicle is no longer operable;

(4) a requirement that a vehicle owner who does not provide proof of insurance or proof of an inoperable vehicle under paragraph (3) of this subsection (a) shall be in violation of Section 7-601 of this Code and the Secretary shall suspend the vehicle's registration and the owner shall pay any applicable reinstatement fees and shall

provide proof of insurance before the Secretary may reinstate the vehicle's registration under Section 7-606 of this Code;

(5) a requirement that if a vehicle owner provides proof of insurance on the date of the attempted verification under paragraph (3) of this subsection (1), the Secretary may verify the vehicle owner's response by furnishing necessary information to the insurance company. Within 7 calendar days of receiving the information, the insurance company shall confirm and notify the Secretary the dates of the motor vehicle's insurance coverage. If the insurance company does not confirm coverage for the date of attempted verification, the Secretary shall suspend the vehicle's registration and the owner of the vehicle shall pay any applicable reinstatement fees and shall provide proof of insurance before the Secretary may reinstate the vehicle's registration under Section 7-606 of this Code;

(6) a requirement that the Secretary may consult with members of the insurance industry during the implementation of the program, including, but not limited to, during the drafting process for adopting any rules that may be necessary to implement or manage an electronic motor vehicle liability insurance policy verification program;

(7) a requirement that commercial lines of automobile insurance are excluded from the program, but may voluntarily report insurance coverage to the State.

(b) In addition to the semi-annual verification of liability insurance under subsection (a) of this Section, the Secretary may select monthly verification for a motor vehicle owned or registered by a person:

(1) whose motor vehicle registration during the preceding 4 years has been suspended under Section 7-606 or 7-607 of this Code;

(2) who, during the preceding 4 years, has been convicted of violating Section 3-707, 3-708, or 3-710 of this Code while operating a vehicle owned by another person;

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

(4) who, during the preceding 4 years, acquired ownership of a motor vehicle while the registration of the vehicle under the previous owner was suspended under Section 7-606 or 7-607 of this Code; or

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

(c) Nothing in this Section provides the Secretary with regulatory authority over insurance companies.

(d) The Secretary may contract with a private contractor to carry out the Secretary's duties under this Section.

(e) Any information collected, stored, maintained, or

referred to under this Section shall be used solely for the purpose of verifying whether a registered motor vehicle meets the requirements of Section 7-601 of this Code and shall be exempt from a records request or from inspection and copying under the Freedom of Information Act. A request for release of verification of liability insurance policy information from the Secretary shall require a court order, subpoena, or the motor vehicle owner's approval.

(f) An insurer identified by an electronic motor vehicle liability insurance policy program as insuring less than 1,000 vehicles per year shall be exempt from the reporting requirements under subsection (a) of this Section.

(g) The Secretary may adopt any rules necessary to implement this Section.

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

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

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

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

(1) whose motor vehicle registrations during the

preceding 4 years have been suspended pursuant to Section 7-606 or 7-607 of this Code;

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

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

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

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

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

(c) In preparation for selection of random samples and their verification, the Secretary may send to owners of randomly selected motor vehicles, or to randomly selected motor vehicle owners, requests for information about their motor vehicles and liability insurance coverage. The request shall

require the owner to state whether or not the motor vehicle was insured on the verification date stated in the Secretary's request and the request may require, but is not limited to, a statement by the owner of the names and addresses of insurers, policy numbers, and expiration dates of insurance coverage.

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

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

(e) If the owner responds to the request for information by asserting that his or her vehicle was covered by a liability insurance policy on the verification date stated in the Secretary's request, the Secretary may conduct a verification of the response by furnishing necessary information to the insurer named in the response. The insurer shall within 45 days

inform the Secretary whether or not on the verification date stated the motor vehicle was insured by the insurer in accordance with Section 7-601 of this Code. The Secretary may by rule and regulation prescribe the procedures for verification.

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

(g) (Blank).

(h) This Section shall be inoperative upon of the effective date of the rules adopted by the Secretary to implement Section 7-603.5 of this Code.

(Source: P.A. 98-787, eff. 7-25-14; 99-333, eff. 12-30-15 (see Section 15 of P.A. 99-483 for the effective date of changes made by P.A. 99-333); 99-737, eff. 8-5-16.)

(625 ILCS 5/7-607) (from Ch. 95 1/2, par. 7-607)

Sec. 7-607. Submission of false proof - penalty. If the Secretary determines that the proof of insurance submitted by a motor vehicle owner under Section 7-603.5, 7-604, 7-605 or 7-606 of this Code is false, the Secretary shall suspend the owner's vehicle registration. The Secretary shall terminate the suspension 6 months after its effective date upon payment by the owner of a reinstatement fee of \$200 and submission of proof of insurance as prescribed by the Secretary.

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All fees collected under this Section shall be disbursed under subsection (g) of Section 2-119 of this Code.

(Source: P.A. 99-127, eff. 1-1-16.)



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Statutes amended in order of appearance

5 ILCS 140/7.5	
20 ILCS 3930/7	from Ch. 38, par. 210-7
20 ILCS 4005/1	from Ch. 95 1/2, par. 1301
20 ILCS 4005/2	from Ch. 95 1/2, par. 1302
20 ILCS 4005/3	from Ch. 95 1/2, par. 1303
20 ILCS 4005/4	from Ch. 95 1/2, par. 1304
20 ILCS 4005/6	from Ch. 95 1/2, par. 1306
20 ILCS 4005/7	from Ch. 95 1/2, par. 1307
20 ILCS 4005/8	from Ch. 95 1/2, par. 1308
20 ILCS 4005/8.5	
20 ILCS 4005/12	
30 ILCS 105/5	from Ch. 127, par. 141
30 ILCS 105/5.295	from Ch. 127, par. 141.295
625 ILCS 5/4-109	
625 ILCS 5/7-603.5 new	
625 ILCS 5/7-604	from Ch. 95 1/2, par. 7-604
625 ILCS 5/7-607	from Ch. 95 1/2, par. 7-607