



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3819

Introduced 2/6/2026, by Sen. Neil Anderson

SYNOPSIS AS INTRODUCED:

625 ILCS 5/7-601

from Ch. 95 1/2, par. 7-601

Amends the Illinois Vehicle Code. Allows the Secretary of State to waive the civil penalty imposed for failure to maintain required liability insurance if all of the following conditions are met: the registered owner's failure to maintain required liability insurance constitutes the first offense for that registered owner; the vehicle was not operated upon a public roadway during the period of noncompliance; the registered owner was not issued a citation for operating an uninsured motor vehicle during the period of noncompliance; and the registered owner submits an affidavit attesting that during the period of noncompliance the vehicle was inoperable or stored. Provides that the Secretary may require the registered owner to submit reasonable documentation to substantiate the affidavit. Provides that the waiver may be granted only once per registered owner. Provides that knowingly submitting a false affidavit or documentation constitutes a violation of the Code.

LRB104 20608 LNS 34099 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
5 changing Section 7-601 as follows:

6 (625 ILCS 5/7-601) (from Ch. 95 1/2, par. 7-601)
7 Sec. 7-601. Required liability insurance policy.

8 (a) No person shall operate, register or maintain
9 registration of, and no owner shall permit another person to
10 operate, register or maintain registration of, a motor vehicle
11 designed to be used on a public highway in this State unless
12 the motor vehicle is covered by a liability insurance policy.

13 The insurance policy shall be issued in amounts no less
14 than the minimum amounts set for bodily injury or death and for
15 destruction of property under Section 7-203 of this Code, and
16 shall be issued in accordance with the requirements of
17 Sections 143a and 143a-2 of the Illinois Insurance Code, as
18 amended. No insurer other than an insurer authorized to do
19 business in this State shall issue a policy pursuant to this
20 Section for any vehicle subject to registration under this
21 Code. Nothing herein shall deprive an insurer of any policy
22 defense available at common law.

23 (b) The following vehicles are exempt from the

1 requirements of this Section:

2 (1) vehicles subject to the provisions of Chapters 8
3 or 18a, Article III or Section 7-609 of Chapter 7, or
4 Sections 12-606 or 12-707.01 of Chapter 12 of this Code;

5 (2) vehicles required to file proof of liability
6 insurance with the Illinois Commerce Commission;

7 (3) vehicles covered by a certificate of
8 self-insurance under Section 7-502 of this Code;

9 (4) vehicles owned by the United States, the State of
10 Illinois, or any political subdivision, municipality or
11 local mass transit district;

12 (5) implements of husbandry;

13 (6) other vehicles complying with laws which require
14 them to be insured in amounts meeting or exceeding the
15 minimum amounts required under this Section; and

16 (7) inoperable or stored vehicles that are not
17 operated, ~~as defined by rules and regulations of the~~
18 ~~Secretary.~~

19 (b-5) Notwithstanding any other provision of law, the
20 Secretary of State shall waive the civil penalty imposed for
21 failure to maintain required liability insurance if all of the
22 following conditions are met:

23 (1) The registered owner's failure to maintain
24 required liability insurance constitutes the first offense
25 for that registered owner.

26 (2) The vehicle was not operated upon a public roadway

1 during the period of noncompliance.

2 (3) The registered owner was not issued a citation for
3 operating an uninsured motor vehicle during the period of
4 noncompliance.

5 (4) The registered owner submits an affidavit, in a
6 form prescribed by the Secretary of State, attesting that
7 during the period of noncompliance the vehicle was
8 inoperable or stored, as defined in this subsection.

9 The Secretary of State may require the registered owner to
10 submit reasonable documentation to substantiate the affidavit,
11 including, but not limited to, repair records, mechanic
12 statements or invoices, towing receipts, storage agreements,
13 photographs, or other evidence demonstrating that the vehicle
14 was inoperable or stored during the period of noncompliance.

15 The waiver authorized under this subsection may be granted
16 only once per registered owner.

17 Knowingly submitting a false affidavit or documentation
18 under this subsection constitutes a violation of this Code.

19 For purposes of this subsection:

20 "Inoperable" means a motor vehicle that was not capable of
21 safe or lawful operation upon a public highway due to
22 mechanical condition and was not operated upon a public
23 roadway during the period of noncompliance.

24 "Stored" means a motor vehicle that was intentionally
25 removed from service, not operated upon a public roadway, and
26 kept off the public roadway during the period of

1 noncompliance.

2 (c) Every employee of a State agency, as that term is
3 defined in the Illinois State Auditing Act, who is assigned a
4 specific vehicle owned or leased by the State on an ongoing
5 basis shall provide the certification described in this
6 Section annually to the director or chief executive officer of
7 his or her agency.

8 The certification shall affirm that the employee is duly
9 licensed to drive the assigned vehicle and that (i) the
10 employee has liability insurance coverage extending to the
11 employee when the assigned vehicle is used for other than
12 official State business, or (ii) the employee has filed a bond
13 with the Secretary of State as proof of financial
14 responsibility, in an amount equal to, or in excess of the
15 requirements stated within this Section. Upon request of the
16 agency director or chief executive officer, the employee shall
17 present evidence to support the certification.

18 The certification shall be provided during the period July
19 1 through July 31 of each calendar year, or within 30 days of
20 any new assignment of a vehicle on an ongoing basis, whichever
21 is later.

22 The employee's authorization to use the assigned vehicle
23 shall automatically be rescinded upon:

24 (1) the revocation or suspension of the license
25 required to drive the assigned vehicle;

26 (2) the cancellation or termination for any reason of

1 the automobile liability insurance coverage as required in
2 item (c) (i); or

3 (3) the termination of the bond filed with the
4 Secretary of State.

5 All State employees providing the required certification
6 shall immediately notify the agency director or chief
7 executive officer in the event any of these actions occur.

8 All peace officers employed by a State agency who are
9 primarily responsible for prevention and detection of crime
10 and the enforcement of the criminal, traffic, or highway laws
11 of this State, and prohibited by agency rule or policy to use
12 an assigned vehicle owned or leased by the State for regular
13 personal or off-duty use, are exempt from the requirements of
14 this Section.

15 (d) No person shall operate a motor vehicle registered in
16 another state upon the highways of this State unless the
17 vehicle is covered by a liability insurance policy. The
18 operator of the vehicle shall carry within the vehicle
19 evidence of the insurance.

20 (Source: P.A. 100-202, eff. 1-1-18; 100-828, eff. 1-1-19.)