**Section 1003.30 Collection of All Motor Vehicle Fees**

a) If a person has not paid the total fee due and owing, due to miscalculation or any other reason, the Department of Accounting Revenue shall send two notices, each 30 calendar days apart, to the address shown on the records of the Secretary of State, asking for the additional fees to be paid. The notices will be mailed by regular mail. If no payment is made within 30 days following the date of the first letter, then the registration or driver's license record of the person shall be tagged on the computer record with a notation that money is owed, and this action will prevent the renewal of the driver's license or registration without payment of the additional fee. If no payment is made within 30 calendar days after of the date of the second letter, the driver's license of the person shall be cancelled pursuant to Section 6-201(3) of the IVC, unless:

1) the driver has demonstrated that the amount owed is not correct and is in dispute;

2) the driver has demonstrated good faith attempts to make restitution of the amount owed; or

3) the amount is $5.00 or less.

b) Dishonored Electronic Payment or Check Returned for Any Reason.

1) If the check is returned for any reason, the Department of Accounting Revenue shall notify the payor by mail that:

A) payment is due within 10 calendar days after the date of the notice;

B) if the Secretary does not receive payment, he or she cancel the payor's Illinois driver's license and/or shall revoke and retrieve the registration plate, as the case may be;

C) the Attorney General may file a lawsuit;

D) the Comptroller shall deduct from any State funds due to the payor the amount of money due and owing to the Secretary of State pursuant to Section 10.05 of the State Comptroller Act [15 ILCS 405];

E) the provisions of Section 3-821(c) of the IVC shall apply; and

F) the Secretary will apply the provisions of the Illinois State Collection Act of 1986 [30 ILCS 210].

2) If the fee is not paid within 15 calendar days following the date of the notice required by subsection (b)(2), the driver's license of the payor and/or registrant will be cancelled (see Section 6-201(a)(3) of the IVC) and the individual or individuals will be notified by mail of the cancellation. After this procedure is completed, a collection order is issued and the license plates involved are tagged on the registration computer file so that no renewal can be accomplished without payment of the fee.

3) A collector shall call upon the payor to attempt to collect for the returned check or dishonored electronic payment. The collector will take any registration plates from a vehicle for which the fee has not been paid. The collector will not accept partial payment, electronic payment nor personal or business check. Payment must be in cash, money order or certified check.

4) Should any payor contacted pursuant to this Section acknowledge the debt and desire to pay on an installment basis, an installment agreement may be entered into with the Department of Accounting Revenue, if approved by the Director of that Department, after his or her examination of the personal financial data submitted by the payor demonstrates the payor's financial ability to pay on an installment basis and his or her inability to pay the entire amount owed immediately. The installment agreement shall contain the following terms and conditions:

A) The amount owed must exceed $500.

B) The agreement shall not exceed 3 months in duration, with three equal payments being made.

C) The payor acknowledges the debt and all penalties and interest.

D) The payor waives any statute of limitations defense.

E) The payor confesses judgment if the terms of the agreement are not met.

F) The payor agrees that the agreement will be cancelled if the payment schedule is not met.

G) The driver's license will be cancelled and/or the registration plates revoked and surrendered if the agreement is not fulfilled by the payor.

c) If an electronic payment is dishonored by the payor's credit card or banking institution, or the payor charges back the electronic payment, the Department of Accounting Revenue shall notify the payor by mail that:

1) The Department of Accounting Revenue will send two notices, each 30 days apart, to the address shown on the records of the Secretary of State, asking for the additional fees to be paid. The notices will be mailed by regular mail.

2) If no payment is made within 30 days following the date of the first letter, the registration or driver's license record of the person will be tagged on the Secretary of State database with a notation that money is owed, and this action will prevent the renewal of the driver's license or registration without payment of the additional fees.

3) If no payment is made withing 30 calendar days after the second letter, the driver's license of the person shall be cancelled pursuant to Section 6-201(3) of the IVC, unless the driver has demonstrated that the amount owed is not correct and is in dispute, or the amount is $5.00 or less.

d) All accounts remaining uncollected after the procedures in this Section have been applied shall be referred to the Attorney General of Illinois for collection and the Comptroller of Illinois shall be notified to withhold any payments due by the State to the payor pursuant to the State Comptroller Act.

e) All persons who have had payment returned for any reason must make all future fee payments by cash, certified check or money order (see Section 3-801 of the IVC).

f) The procedures of this Section shall be applied to corporations or other business entities that fail to make payment or payments for any reason.

(Source: Amended at 42 Ill. Reg. 203, effective December 19, 2017)