**Section 1010.421 Issuance of Temporary Registration Permits by Persons or Entities Other Than the Secretary of State**

a) All entities authorized to issue Temporary Registration Permits (TRPs) must designate a single individual as the primary individual responsible for issuing, tracking and managing TRPs, 7-day permits, and/or 30-day permits. This individual shall be referred to as a Superuser and will act as the primary contact on behalf of the authorized entity and the Secretary of State (SOS).

b) All entities authorized to issue a TRP shall be issued a Superuser username by the SOS. The Superuser may designate to SOS additional issuers; however, only individuals with a valid username may issue a TRP from inventory allocated to each licensed entity. Each Superuser and additional issuer of the TRP system must sign a separate acknowledgment stating that the individual understands the processes and procedures governing TRP issuance, is 18 years of age or older, and understands that a violation of this Part or of any provision of the Illinois Vehicle Code related to issuing registrations may result in the Superuser, the additional issuer, and/or the authorized entity receiving a suspension or revocation of TRP privileges.

c) If the SOS determines that a Superuser, additional issuer, or authorized entity has permitted an unauthorized individual to issue a TRP on the Superuser's or an additional issuer's behalf, then the SOS shall suspend the authorized entity's access to the TRP program for a period of 30 days. Any entity that is found to have employed a Superuser or additional issuer who has violated this provision twice within 5 years shall have access to the TRP program denied permanently.

d) All Superusers and those designated by a Superuser as an additional issuer shall complete a free, annual training session including, but not limited to, the operations of the TRP system, the statutes pertaining to motor vehicle registration, TRPs, and this Part.

e) Prior to obtaining a Superuser username, a Superuser must complete in-person training. Going forward, the Superuser will be required to attend an online training annually. If a new additional issuer is created by the Superuser, that new user has 60 days from the creation date to complete the online training. Going forward, an additional issuer must take the online training annually. Any Superusers or additional users who have committed any violations of this section in the past year may be required to take in-person training.

f) A licensed dealer under the Illinois Vehicle Code may void, within 15 days or 500 miles after the issue date of the TRP, a TRP that has been issued to a vehicle owner and corresponding vehicle, if the vehicle owner determines that the vehicle meets the requirements of Section 2L of the Consumer Fraud and Deceptive Business Practices Act [815 ILCS 505]. A licensed dealer under the Illinois Vehicle Code may void, within 15 days after the issue date of the TRP, a TRP that has been issued to a vehicle owner and corresponding vehicle for any other reason allowed under State statute. A licensed dealer shall be required to retain documentation that the customer signs stating that he or she is returning the vehicle to the licensed dealer pursuant to Section 2L or another specified statutorily authorized reason. This disclosure shall be retained with all other statutorily required documentation pertaining to the licensed dealer's record keeping requirements.

g) A licensed dealer may not void a TRP for a vehicle owner and corresponding vehicle if the sole reason the vehicle is returned to the licensed dealer is the vehicle purchaser's inability to secure financing for the vehicle. If, after the TRP is issued, the vehicle purchaser is ultimately unable to secure financing and must return the vehicle, the licensed dealer must still transmit the appropriate title and registration fees to SOS and any applicable sales taxes to the Illinois Department of Revenue before another TRP may be issued to a new vehicle owner for the same vehicle.

h) In addition to the issuance of TRPs to specific applicants, the SOS may supply, upon request, TRP plates to the following for issuance by them, provided they have the necessary computer hardware, software and communication devices for accessing the SOS Internet site for the registration of TRP plates and titling:

1) Licensed vehicle dealers registered and in good standing with SOS. Each dealer may issue TRPs only to persons purchasing vehicles from that dealer and only after application for title and registration has been completed. All TRPs that are issued must be accompanied by a corresponding document number for the accompanying application for a certificate of title. All dealers receiving TRPs shall maintain records as required by 92 Ill. Adm. Code 1019.40 reflecting the information required for completion of the receipt form for a TRP plate. Failure to do so may result in the denial, revocation, or suspension of a dealer's license under IVC Section 5-501.

2) Licensed remittance agents registered and in good standing with the SOS. Each remittance agent may issue TRPs only to persons whose applications the remittance agent accepts for transmittal to SOS. All TRPs that are issued must be accompanied by a corresponding document number for the accompanying application for a certificate of title. All Remittance Agents receiving TRPs shall maintain records reflecting the information required for completion of the receipt form for a TRP. Failure to do so may result in the denial, revocation, or suspension of a Remittance Agent's license under IVC Sections 3-906 and 3-907.

3) Currency exchanges licensed by, and in good standing with, the Department of Financial and Professional Regulation. Currency exchanges shall complete and submit an application in a manner prescribed by the SOS to be eligible to receive TRPs. Each currency exchange may issue TRPs only to persons whose applications the currency exchange accepts for transmittal to SOS. A TRP may only be issued in connection with an application for title and registration or registration only, but may not be issued in connection with an application for renewal of a registration. All TRPs that are issued must be accompanied by a corresponding document number for the accompanying application for a certificate of title. All currency exchanges receiving TRPs shall maintain records of their issuance reflecting the information required for completion of the receipt form for a TRP plate.

i) Authorized Superusers of Temporary Permits must be in compliance with the following:

1) Within two business days after receipt of TRP plates from the SOS the Superuser shall access the SOS Internet site for the registration of TRP plates and acknowledge receipt of the plates.

A) The issuer shall store the TRP plates in a secure location to prevent theft, loss or misuse of the plates. TRPs shall not be accessible to the general public or any individual who has not been issued a Superuser's, or an additional issuer's, username by the SOS.

B) TRP plates shall be issued in numerical sequence as received from SOS.

C) Holders of TRPs shall be limited to a 90-day inventory based on self-reported annual sales.

D) TRP plates shall be issued only in conjunction with applications for vehicle registration and all required information regarding the TRP plate shall be completed on the vehicle registration application form.

E) Any information that is found to be inaccurate in order to circumvent the TRP system shall result in suspension of the TRP system. A second or subsequent violation of this subsection (i)(1)(E) within 5 years shall result in denial of access to the TRP system.

2) Contemporaneously with the issuance of a TRP plate, the Superuser or additional issuer shall access the SOS TRP Account Login for the registration of TRP plates and enter all requested information with regard to the vehicle for which the TRP plate was issued and the individuals or entity to which the TRP plate was issued. When accessing the SOS Internet site and entering information, a Superuser or additional issuer shall comply with all protocols provided by the SOS, including, but not limited to, user identification procedures and passwords.

3) Prior to delivering a TRP plate to the applicant or attaching a TRP plate to a vehicle, the Superuser or additional issuer shall affix the TRP to the corresponding vehicle.

A) All information required on the TRP must be electronically printed on the TRP; and

B) Under no circumstances shall the Superuser or an additional issuer provide or issue a second or subsequent TRP to the same owner and vehicle as the initial issuance.

4) TRP plates issued for motor driven cycles or motorcycles shall be of the reduced size designed for motor driven cycles or motorcycles.

5) TRP plates shall be issued only by the Superuser or additional issuer assigned by the licensed dealer, remittance agent, or currency exchange that received the TRP from the SOS.

6) TRP plate receipt forms shall contain all of the information requested, where applicable. The original of the plate receipt form shall be given to the applicant and the copy shall be maintained by the Superuser or additional issuer.

7) TRP plate receipt forms shall bear the name of the Superuser's licensed entity and the licensee's or Agent number issued by SOS.

8) The Superuser or additional issuer of TRPs shall reimburse SOS $151 per TRP lost, missing, stolen or destroyed. All TRPs designated as lost, missing, stolen or destroyed, or otherwise unaccounted for, shall be billed automatically on a monthly basis. The SOS shall have the discretion to waive this fee upon satisfactory proof that the TRPs were destroyed by fire or flood, or stolen in connection with a theft on the premises. In the decision to waive the fee, the SOS shall consider whether an insurance claim or police report was filed, or other evidence suggesting that the authorized licensed entity's loss is the result of fire, flood or theft on the premises.

9) An authorized licensed entity shall maintain for 3 years copies of receipt forms for all TRP plates issued.

10) When the authorized licensed entity is no longer engaged in the business of issuing TRPs, the authorized licensed entity shall return all unissued TRP plates to SOS. An authorized licensed entity shall bear risk of loss until all TRPs are received by SOS. All TRPs shall be returned to the following address:

Illinois Secretary of State

Attn: TRP Return Unit

501 S. 2nd Street

Springfield IL 62756

11) Any entity licensed under Chapter 5 of the IVC shall issue Illinois residents only Illinois TRPs or 7-day drive away permits. A licensee may issue a 30-day drive away permit to non-residents or as set forth in Section 1010.425 of this Administrative Code. Any licensee that issues a temporary registration permit or 7-day drive away permit originating from another state to an IL resident shall receive a 90-day suspension from access to the Secretary's TRP system. A second or subsequent violation of this provision shall result in a 30-day suspension of the license issued under Chapter 5 of the IVC.

j) SOS shall have free access to the offices and places of business to examine fully all TRP books and other business records, documents and files of the licensed entity to determine whether the licensed entity is complying with this Section.

k) The licensed entity is responsible for acts or omissions of its Superuser or additional issuers while engaged in the distribution of TRPs.

l) Denial or Revocation of the Authority to Issue Temporary Permits

1) SOS may refuse to issue TRPs to any dealer, remittance agent or currency exchange that has committed any violation of IVC Chapter 3 or Chapter 5 or any administrative rule adopted pursuant to those statutes. SOS may demand the return of any unused TRPs from any dealer, remittance agent or currency exchange for any violation of IVC Chapter 3 or Chapter 5 or any administrative rule adopted pursuant to those statutes, or for any other violation relating to the use or issuance of TRPs.

2) If the SOS refuses to issue or revokes unused TRPs, he or she shall so order in writing and notify the dealer, remittance agent or currency exchange by U.S. Mail. A dealer, remittance agent or currency exchange may request an administrative hearing to review the order.

3) If the SOS revokes unused TRPs, the affected dealer, remittance agent or currency exchange shall not be entitled to apply for or issue any TRPs for a period of 90 days following receipt of the revocation order. A second or subsequent offense resulting in the revocation of TRPs may result in the dealer, remittance agent or currency exchange being prohibited from receiving any TRPs from SOS.

4) SOS personnel may initiate an action against a dealer, remittance agent or currency exchange by filing a complaint with the SOS Administrative Hearings Department. Thereafter, a notice of hearing shall be issued to the dealer, remittance agent or currency exchange specifying the alleged violation. The dealer, remittance agent or currency exchange shall be entitled to an administrative hearing pursuant to IVC Section 2-118 and 92 Ill. Adm. Code 1001.

m) Violations of Entering Temporary Permit Required Information

1) Any entity that issues a TRP without a corresponding application for a certificate of title shall be assessed the appropriate certificate of title fee for the vehicle that was issued the TRP.

2) The penalty for entering false, misleading or deceptive information, whether the information pertains to the vehicle owner or the vehicle, shall include a 90-day suspension of access to the TRP system.

3) The penalty for a lost, missing, stolen or destroyed TRP from an entity's inventory shall be $151, the cost of a plate and registration.

4) The penalty for issuing a TRP without following the proper SOS procedures is as follows:

|  |  |  |
| --- | --- | --- |
| Occurrence |  | Penalty |
| 1st Occurrence, single violation |  | Written warning, $175 fine |
| 1st Occurrence, 2-5 violations |  | 7-day suspension, $175 fine per violation |
| 1st Occurrence, 5-10 violations |  | 30-day suspension, $175 fine per violation |
| 1st Occurrence, 10+ violations |  | 90-day suspension, $175 fine per violation |
| 2nd Occurrence |  | 30-day suspension, $175 fine per violation |
| 2nd Occurrence, 10+ violations |  | 90-day suspension, $175 fine per violation |
| 3rd Occurrence |  | 90-day suspension, $175 fine per violation |
| 4th Occurrence |  | Revocation of TRP Access |

(Source: Amended at 46 Ill. Reg. 1868, effective January 13, 2022)