**Section 1010.440 Title and Registration of Vehicles with Permanently Mounted Equipment**

a) For purposes of this Section, the following definitions shall apply:

"Cargo and Supplies" – any commodity or object not directly related to the mechanical operation of the permanently mounted equipment.

"Department" – Department of Vehicle Services within the Office of the Secretary of State.

"Not-for-hire" – operation of a commercial vehicle in furtherance of any commercial or industrial enterprise but not For-Hire as defined in Section 1-153 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 1-153).

"Owner" – a person who holds legal title of motor vehicle, or in the event a motor vehicle is the subject of an argument for the conditional sale of lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of such motor vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor as defined in Section 1-55 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 1-155).

"Permanently Affixed" – shall mean bolted, screwed, welded, glued, soldered, or in any way attached to a vehicle so that a tool is needed to unfasten the permanently mounted equipment from the vehicle.

"Permanently Mounted Equipment" – an apparatus or instrument permanently affixed to a vehicle which is designed to perform a specific task in and of itself such as but not limited to the following tasks: drilling, digging, mining, and other such tasks. This definition shall not include equipment which could function without being permanently mounted.

"Tools and Equipment" – an apparatus or instrument necessary to the function of permanently mounted equipment such as screw drivers and wrenches. This definition shall also include an apparatus or instrument necessary for the function of the permanently mounted equipment such as lubricant for a winch.

"Usage" – the amount of time used on the highway which for purposes of this Section shall be less than fifty (50) percent of a fiscal year.

b) Vehicle owners who have vehicles with permanently mounted equipment shall apply for registration and pay the fee specified in Section 3-812 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 3-812). The classification of license plate shall be PM. The vehicle shall also be subject to the titling requirements of Article I of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 3-100 et seq.) and be used not-for-hire.

c) Applications shall be accompanied by the following:

1) a copy of the vehicle title or a copy of the current registration;

2) the statutory fee as required by Section 3-812 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code;

3) photographs of front, back, and side views of the vehicle; and

4) an affirmation statement as specified in subsection (d).

d) The affirmation statement shall contain the following information:

1) a statement that the vehicle is operated on the highway less than fifty (50) percent of the fiscal year; and

2) a statement that the vehicle is not used to haul cargo and supplies.

e) The Department shall review the usage and equipment of the vehicle for compliance with the definitions in subsection (a). Subsequent to the mounting of the permanently mounted equipment, vehicles designed for uses other than transporting permanently mounted equipment and tools and equipment are not eligible to be issued PM plates. Cargo and supplies as defined in subsection (a) shall not be transported. The Department shall review the photographs to determine whether the vehicle is designed exclusively for the transportation of the permanently mounted equipment.

f) If the Department has any questions as to whether a vehicle should be issued PM plates, the Department may request the Department of Police of the Office of Secretary of State to inspect the vehicle in question if a Departmental decision cannot be made on the basis of the photographs.

g) If the applicant for a PM plate does not meet the criteria as stated in this rule, the Department shall deny the application for licensing. The title and registration application and fee shall be returned to the applicant. The applicant may then submit a new application for title and registration. A registration applicant who is denied may request a hearing pursuant to Section 2-118 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 2-118) and 92 Ill. Adm. Code 1001.100.

h) Applications and inquiries regarding this Section should be directed to the following:

Office of Secretary of State

Non-Standard Plate Section

Centennial Building, Room 539

Springfield, Illinois 62756

(Source: Added at 13 Ill. Reg. 1598, effective February 1, 1989)