**Section 1070.60 Release from Liability**

1. For purposes of this Section, the following definitions shall apply:

"Covenant Not to Sue" − a common law action by one who had a right of action against another person whereby he/she agrees not to enforce the right of action.

"Department" − Department of Driver Services within the Office of the Secretary of State.

"Release" − legal document which represents the relinquishment or the giving up of a right or claim by a person to the person against whom it might have been demanded or enforced.

b) A person shall be released from the requirement for the deposit of security required by Section 7-201 of the Illinois Safety Responsibility Law [625 ILCS 5/7-201] if there is satisfactory evidence filed with the Department that the person has been released from liability. Satisfactory evidence shall include the following:

1) A notarized release signed by the interested party or authorized representative.

2) A notarized release signed by the interested party's parent or legal guardian if the interested party is a minor.

3) A notarized release signed by the administrator or executor of the interested party's estate if the interested party is deceased and a certified court order naming the person as administrator or executor of the estate or a notarized affidavit or heirship.

4) A notarized covenant not to sue signed by the interested party or his/her authorized representative.

c) A person shall also be released from the requirements for the deposit of security required by Section 7-201 of the Illinois Safety Responsibility Law if there is satisfactory evidence filed with the Department that there has been a final adjudication of non-liability. Satisfactory evidence shall include a certified court order stipulating that the person otherwise required to deposit security is not liable as a result of the accident.

d) The Department shall also accept a certified copy of a satisfaction of judgment, a judgment note, or a court order dismissing the case because all matters have been settled to release a person of the requirement for the deposit of security required by Section 7-201 of the Illinois Safety Responsibility Law. Evidence of settlement shall also be accepted by the Department in the form of a bill for repair marked paid or a cancelled check(s) indicating full payment.

(Source: Amended at 18 Ill. Reg. 10909, effective June 28, 1994)