



Rep. Jay Hoffman

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1 AMENDMENT TO HOUSE BILL 2336

2 AMENDMENT NO. _____. Amend House Bill 2336, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 1. It is the intent of the General Assembly that
6 all references made to vehicle license plates and license plate
7 stickers be construed to include electronic vehicle license
8 plates and vehicle stickers as approved by the Secretary of
9 State. It is the policy of this State to encourage the issuance
10 of a combination of metal and electronic license plates and
11 vehicle stickers.

12 Section 5. The Illinois Vehicle Code is amended by changing
13 Sections 1-171, 1-190.1, 6-305, and by adding Sections 3-401.5
14 and 3-401.6 as follows:

15 (625 ILCS 5/1-171) (from Ch. 95 1/2, par. 1-171)

1 Sec. 1-171. Registration - Registration Sticker.
2 Registration. The registration certificate or certificates,
3 registration plates and registration stickers issued under the
4 laws of this State pertaining to the registration of vehicles.

5 Registration Sticker or Stickers. A device or devices to be
6 attached to a rear registration plate that will renew the
7 registration and registration plate or plates for a
8 pre-determined period not to exceed one registration year
9 except as provided in subsection (1) of Section 3-414 of this
10 Code. Should the Secretary of State determine it is advisable
11 to require a registration sticker to be attached to a front
12 registration plate, he may require such action and provide the
13 necessary additional sticker. Such determination shall be
14 publicly announced at least 30 days in advance of a new annual
15 registration year.

16 "Registration" and "registration sticker or stickers"
17 include digital registration plates and digital registration
18 stickers issued by the Secretary of State under Section 3-401.5
19 or 3-401.6.

20 (Source: P.A. 80-1185.)

21 (625 ILCS 5/1-190.1)

22 Sec. 1-190.1. Special license plate. Registration plates
23 issued by the Secretary of State that by statute require, in
24 addition to the applicable registration fee, an additional fee
25 that is to be deposited into the Secretary of State Special

1 License Plate Fund. "Special license plate" includes digital
2 registration plates that by statute require, in addition to the
3 applicable registration fee, an additional fee that is to be
4 deposited into the Secretary of State Special License Plate
5 Fund.

6 (Source: P.A. 89-282, eff. 8-10-95.)

7 (625 ILCS 5/3-401.5 new)

8 Sec. 3-401.5. Digital registration plates and renewals.

9 (a) The Secretary of State may authorize the issuance of a
10 digital registration plate to a vehicle, in lieu of a set of
11 static, metal registration plates, if the vehicle owner
12 separately purchases the digital registration plate for a
13 particular vehicle. The Secretary shall work with the vehicle
14 owner and the distributor of the digital registration plates to
15 coordinate the appropriate plate image and registration
16 expiration to appear on the digital registration plate. One
17 metal plate shall still be issued to the vehicle owner for the
18 front end of the vehicle.

19 (b) The Secretary, for any vehicle owner that purchases a
20 digital registration plate, may electronically renew the
21 digital registration plate upon receiving the appropriate
22 renewal registration fee as set forth in this Code. The
23 Secretary may also authorize the image to be suspended or
24 revoked and replaced with an alternative image or blank screen
25 upon violation of any provision of this Code or the failure to

1 renew the digital registration plate.

2 (c) Before a digital registration plate may be issued in
3 lieu of a special plate authorized under Article VI of this
4 Chapter, the Secretary shall seek approval from the originating
5 organization, when possible, to authorize a digital version of
6 the static, metal plates issued to a vehicle owner.

7 (d) The owner of a digital registration plate is
8 responsible for any costs associated with using the digital
9 registration plate, including, but not limited to, the initial
10 purchase price and any replacement costs.

11 (e) The Secretary of State may adopt any rules necessary to
12 implement and develop a digital registration plate program.

13 (625 ILCS 5/3-401.6 new)

14 Sec. 3-401.6. Commercial digital registration plates.

15 (a) The Secretary of State shall implement a pilot program
16 for the creation of commercial digital registration plates for
17 the purpose of (i) providing accurate and reliable information
18 to law enforcement regarding specific uses of commercial
19 vehicles; (ii) reducing abuse and increasing compliance with
20 the use and transfer of commercial license plates; (iii)
21 providing for dual-number commercial digital registration
22 plates and a dynamic plate numbering system with dynamic
23 expiration for commercial digital registration plates; (iv)
24 providing commercial digital registration plates for
25 commercial vehicle sharing, car-sharing platforms, and

1 non-owned commercial vehicle usage; (v) providing temporary
2 and dynamic license plate numbering for temporary operational
3 uses of commercial trucks, including U.S. Department of
4 Transportation numbers and placards; and (vi) generating
5 revenue for the State by and through in-state and out-of-state
6 licensing for utilization across all states. The pilot program
7 may be used for unplatd, unregistered, and temporary vehicles.
8 The program shall only be available to no more than 1,000 motor
9 vehicles that are used commercially, used for hire, or owned by
10 a commercial business. The program is not available to
11 providers of transportation network company services, as that
12 term is defined in Section 5 of the Transportation Network
13 Providers Act.

14 (b) As used in this Section:

15 "Commercial digital registration plate" means an
16 electronic display that is mounted on the back or side of a
17 vehicle in place of a license plate issued by the Secretary of
18 State pursuant to this Code or in place of numbers or placards
19 issued by the U.S. Department of Transportation.

20 "Commercial vehicle" means any vehicle operated for the
21 transportation of persons or property in the furtherance of any
22 commercial or industrial enterprise by a business or commercial
23 entity that owns at least 25 other such vehicles.

24 "Dual-number digital license plate" means a digital
25 electronic license place that displays both the license number
26 for the registered owner of a commercial vehicle and a

1 temporary license number for the nonowner user of a commercial
2 vehicle during an operational use.

3 "Dynamic expiration" means the time of expiration of a
4 dynamic license plate number.

5 "Dynamic license plate number" means a temporary digital
6 license number assigned to a nonowner user of a commercial
7 vehicle during a limited, defined operational use period.

8 "Operational use" means the temporary use by a nonowner of
9 a commercial vehicle with a dual-number digital license plate
10 to transport a commercial vehicle from one location to another
11 location or during the rental period by a nonowner of a
12 commercial vehicle while renting a car from a rental car
13 company or business or a car-sharing company or business. An
14 operational use may be approved for hourly increments.

15 (c) The registered owner of a vehicle interested in
16 participating in the program shall sign an informed consent
17 agreement designed by the Secretary of State. The form and fee
18 shall be submitted to the Secretary of State for processing.

19 (d) For the purposes of developing and evaluating the use
20 of a digital electronic license plate, the State may enter into
21 any of the following:

22 (1) A request for proposals.

23 (2) A memorandum of understanding.

24 (3) A letter of intent.

25 (4) Other instruments deemed appropriate by the
26 Secretary.

1 (e) The Secretary shall, at a date determined by the
2 Secretary, enter into a 12-month contract with a private vendor
3 for the purposes of researching, reporting, developing,
4 acquiring, and implementing the utilization of a commercial
5 digital registration plate for operational uses of commercial
6 vehicles. The contract shall not allow data collection for a
7 period longer than 12 months. The contract shall include a
8 requirement that the private vendor pay for the costs of all
9 relevant activities incurred by the Secretary for
10 implementation of the program pursuant to this Section. The
11 contract shall permit the vendor to charge a fee for each
12 operational use of a commercial digital registration plate. The
13 contract shall also include a confidentiality provision
14 sufficient to provide protection for the vendor's proprietary
15 information and methods. In no event shall the Secretary of
16 State receive a lesser registration fee for a vehicle
17 registered under this Section than would otherwise be received
18 as a normal annual registration fee.

19 All commercial digital registration plates used in this
20 State shall be capable of clearly displaying digital numbering
21 and must be capable of detection by equipment owned and
22 operated by the Illinois State Toll Highway Authority or a
23 municipal government or law enforcement agency in this State.
24 The plates shall be capable of displaying messages, as
25 determined by the Secretary, at and past the date of dynamic
26 expiration.

1 (f) Each operational use of a dynamic license plate number
2 shall require the vendor to utilize a variety of driver data,
3 including, but not limited to, cross-checking motor vehicle
4 records and the Global Terrorist Watch List database before
5 issuing and authorizing the dynamic license plate number and
6 operational use. The application process for an operational use
7 may only be initiated by the scan of a valid driver's license.
8 In no event shall any dynamic license plate number be issued
9 until after an applicant selects and purchases temporary
10 operational use insurance as made available through the vendor.
11 Such insurance shall be effective for the duration of the
12 operational use and all properly licensed insurance providers
13 may participate in the program. Each operational use shall be
14 subject to dynamic expiration at the termination of the
15 operational use.

16 (g) Personal information derived from the application
17 process for an operational use shall be retained by the
18 Secretary and made available to law enforcement as consistent
19 with this Code.

20 (h) On or before the repeal date of this Section under
21 subsection (j), the Secretary shall submit a report to the
22 General Assembly concerning the operation of the program,
23 including, but not limited to, the prospect of increased
24 revenues to the State by expanding the program, the nature and
25 cost savings associated with the program, the security and
26 reliability of the digital electronic license plates, options

1 for the driver of the vehicle to display and to change the
2 messages displayed on the digital electronic license plate, and
3 any recommendations on the future use of commercial digital
4 registration plates that the Secretary deems appropriate.

5 (i) This Section specifically grants authority to the
6 Secretary of State to issue commercial digital registration
7 plates. Nothing in this Section shall prohibit the Secretary of
8 State from creating or implementing any other digital
9 registration plate program for vehicles.

10 (j) This Section is repealed 3 years after the effective
11 date of this amendatory Act of the 101st General Assembly.

12 (625 ILCS 5/6-305) (from Ch. 95 1/2, par. 6-305)

13 Sec. 6-305. Renting motor vehicle to another.

14 (a) No person shall rent a motor vehicle to any other
15 person unless the latter person, or a driver designated by a
16 nondriver with disabilities and meeting any minimum age and
17 driver's record requirements that are uniformly applied by the
18 person renting a motor vehicle, is then duly licensed hereunder
19 or, in the case of a nonresident, then duly licensed under the
20 laws of the State or country of his residence unless the State
21 or country of his residence does not require that a driver be
22 licensed.

23 (b) No person shall rent a motor vehicle to another until
24 he has inspected, including through electronic or digital
25 means, the driver's ~~drivers~~ license of the person to whom the

1 vehicle is to be rented, or by whom it is to be driven, and
2 ~~compared and~~ verified the license is unexpired ~~signature~~
3 ~~thereon with the signature of such person written in his~~
4 ~~presence~~ unless, in the case of a nonresident, the State or
5 country wherein the nonresident resides does not require that a
6 driver be licensed.

7 (c) No person shall rent a motorcycle to another unless the
8 latter person is then duly licensed hereunder as a motorcycle
9 operator, and in the case of a nonresident, then duly licensed
10 under the laws of the State or country of his residence, unless
11 the State or country of his residence does not require that a
12 driver be licensed.

13 (c-1) A rental car company that rents a motor vehicle shall
14 ensure that the renter is provided with an emergency telephone
15 number to personnel capable of fielding roadside assistance and
16 other customer service inquiries, including the ability to
17 provide the caller with the telephone number of the location
18 from which the vehicle was rented, if requested by the caller.
19 If an owner's manual is not available in the vehicle at the
20 time of the rental, an owner's manual for that vehicle or a
21 similar model shall be accessible by the personnel answering
22 the emergency telephone number for assistance with inquiries
23 about the operation of the vehicle.

24 (d) (Blank).

25 (e) (Blank).

26 (f) Subject to subsection (l), any person who rents a motor

1 vehicle to another shall only advertise, quote, and charge a
2 rental rate that includes the entire amount except taxes, a
3 mileage charge, and airport concession charge, if any, which a
4 renter must pay to hire or lease the vehicle for the period of
5 time to which the rental rate applies. The person must provide,
6 on the request of the renter, based on the available
7 information, an estimated total of the daily rental rate,
8 including all applicable taxes, fees, and other charges, or an
9 estimated total rental charge, based on the return date of the
10 vehicle noted on the rental agreement. Further, if the rental
11 agreement does not already provide an estimated total rental
12 charge, the following statement must be included in the rental
13 agreement:

14 "NOTICE: UNDER ILLINOIS LAW, YOU MAY REQUEST, BASED ON
15 AVAILABLE INFORMATION, AN ESTIMATED TOTAL DAILY RENTAL
16 RATE, INCLUDING TAXES, FEES, AND OTHER CHARGES, OR AN
17 ESTIMATED TOTAL RENTAL CHARGE, BASED ON THE VEHICLE RETURN
18 DATE NOTED ON THIS AGREEMENT."

19 Such person shall not charge in addition to the rental
20 rate, taxes, mileage charge, and airport concession charge, if
21 any, any fee which must be paid by the renter as a condition of
22 hiring or leasing the vehicle, such as, but not limited to,
23 required fuel or airport surcharges, nor any fee for
24 transporting the renter to the location where the rented
25 vehicle will be delivered to the renter. In addition to the
26 rental rate, taxes, mileage charge, and airport concession

1 charge, if any, such person may charge for an item or service
2 provided in connection with a particular rental transaction if
3 the renter can avoid incurring the charge by choosing not to
4 obtain or utilize the optional item or service. Items and
5 services for which such person may impose an additional charge
6 include, but are not limited to, optional insurance and
7 accessories requested by the renter, service charges incident
8 to the renter's optional return of the vehicle to a location
9 other than the location where the vehicle was hired or leased,
10 and charges for refueling the vehicle at the conclusion of the
11 rental transaction in the event the renter did not return the
12 vehicle with as much fuel as was in the fuel tank at the
13 beginning of the rental. "Airport concession charge" means a
14 charge or fee imposed and collected from a renter to reimburse
15 the motor vehicle rental company for the concession fee it is
16 required to pay to a local government corporate authority or
17 airport authority to rent motor vehicles at the airport
18 facility. The airport concession charge is in addition to any
19 customer facility charge or any other charge.

20 (f-5) A rental car company that offers a renter the
21 opportunity to use a transponder or other electronic tolling
22 device shall notify the renter of the opportunity to use the
23 device at or before the beginning of the rental agreement.

24 If a vehicle offered by a rental car company is equipped
25 with a transponder or other electronic tolling device and the
26 company fails to notify the renter of the option to use the

1 device, the rental car company shall not:

2 (1) charge a renter a fee of more than \$2 each day for
3 the use of a transponder or other electronic tolling
4 device; however, the company may recoup the actual cost
5 incurred for any toll; and

6 (2) charge a renter a daily fee on any day the renter
7 does not drive through an electronic toll or only drives
8 through an electronic toll collection system for which no
9 alternative payment option exists.

10 (g) Every person renting a motor vehicle to another shall
11 keep a record of the registration number of the motor vehicle
12 so rented, the name and address of the person to whom the
13 vehicle is rented, the number of the license, if any, of said
14 latter person, and the ~~date and place when and~~ where the
15 license, if any, was issued. Such record may be maintained in
16 an electronic or digital format, and shall be open to
17 inspection by any police officer or designated agent of the
18 Secretary of State.

19 (h) A person licensed as a new car dealer under Section
20 5-101 of this Code shall not be subject to the provisions of
21 this Section regarding the rental of private passenger motor
22 vehicles when providing, free of charge, temporary substitute
23 vehicles for customers to operate during a period when a
24 customer's vehicle, which is either leased or owned by that
25 customer, is being repaired, serviced, replaced or otherwise
26 made unavailable to the customer in accordance with an

1 agreement with the licensed new car dealer or vehicle
2 manufacturer, so long as the customer orally or in writing is
3 made aware that the temporary substitute vehicle will be
4 covered by his or her insurance policy and the customer shall
5 only be liable to the extent of any amount deductible from such
6 insurance coverage in accordance with the terms of the policy.

7 (i) This Section, except the requirements of subsection
8 (g), also applies to rental agreements of 30 continuous days or
9 less involving a motor vehicle that was delivered by an out of
10 State person or business to a renter in this State.

11 (j) A public airport may, if approved by its local
12 government corporate authorities or its airport authority,
13 impose a customer facility charge upon customers of rental car
14 companies for the purposes of financing, designing,
15 constructing, operating, and maintaining consolidated car
16 rental facilities and common use transportation equipment and
17 facilities, which are used to transport the customer,
18 connecting consolidated car rental facilities with other
19 airport facilities.

20 Notwithstanding subsection (f) of this Section, the
21 customer facility charge shall be collected by the rental car
22 company as a separate charge, and clearly indicated as a
23 separate charge on the rental agreement and invoice. Facility
24 charges shall be immediately deposited into a trust account for
25 the benefit of the airport and remitted at the direction of the
26 airport, but not more often than once per month. The charge

1 shall be uniformly calculated on a per-contract or per-day
2 basis. Facility charges imposed by the airport may not exceed
3 the reasonable costs of financing, designing, constructing,
4 operating, and maintaining the consolidated car rental
5 facilities and common use transportation equipment and
6 facilities and may not be used for any other purpose.

7 Notwithstanding any other provision of law, the charges
8 collected under this Section are not subject to retailer
9 occupation, sales, use, or transaction taxes.

10 (k) When a rental car company states a rental rate in any
11 of its rate advertisements, its proprietary computer
12 reservation systems, or its in-person quotations intended to
13 apply to an airport rental, a company that collects from its
14 customers a customer facility charge for that rental under
15 subsection (j) shall do all of the following:

16 (1) Clearly and conspicuously disclose in any radio,
17 television, or other electronic media advertisements the
18 existence and amount of the charge if the advertisement is
19 intended for rentals at an airport imposing the charge or,
20 if the advertisement covers an area with multiple airports
21 with different charges, a range of amounts of customer
22 facility charges if the advertisement is intended for
23 rentals at an airport imposing the charge.

24 (2) Clearly and conspicuously disclose in any print
25 rate advertising the existence and amount of the charge if
26 the advertisement is intended for rentals at an airport

1 imposing the charge or, if the print rate advertisement
2 covers an area with multiple airports with different
3 charges, a range of amounts of customer facility charges if
4 the advertisement is intended for rentals at an airport
5 imposing the charge.

6 (3) Clearly and conspicuously disclose the existence
7 and amount of the charge in any telephonic, in-person, or
8 computer-transmitted quotation from the rental car
9 company's proprietary computer reservation system at the
10 time of making an initial quotation of a rental rate if the
11 quotation is made by a rental car company location at an
12 airport imposing the charge and at the time of making a
13 reservation of a rental car if the reservation is made by a
14 rental car company location at an airport imposing the
15 charge.

16 (4) Clearly and conspicuously display the charge in any
17 proprietary computer-assisted reservation or transaction
18 directly between the rental car company and the customer,
19 shown or referenced on the same page on the computer screen
20 viewed by the customer as the displayed rental rate and in
21 a print size not smaller than the print size of the rental
22 rate.

23 (5) Clearly and conspicuously disclose and separately
24 identify the existence and amount of the charge on its
25 rental agreement.

26 (6) A rental car company that collects from its

1 customers a customer facility charge under subsection (j)
2 and engages in a practice which does not comply with
3 subsections (f), (j), and (k) commits an unlawful practice
4 within the meaning of the Consumer Fraud and Deceptive
5 Business Practices Act.

6 (1) Notwithstanding subsection (f), any person who rents a
7 motor vehicle to another may, in connection with the rental of
8 a motor vehicle to (i) a business renter or (ii) a business
9 program sponsor under the sponsor's business program, do the
10 following:

11 (1) separately quote, by telephone, in person, or by
12 computer transmission, additional charges for the rental;
13 and

14 (2) separately impose additional charges for the
15 rental.

16 (1-5) A person licensed under Section 5-101, 5-101.2, or
17 5-102 of this Code shall not participate in a rental-purchase
18 agreement vehicle program unless the licensee retains the
19 vehicle in his or her name and retains proof of proper vehicle
20 registration under Chapter 3 of this Code and liability
21 insurance under Section 7-601 of this Code. The licensee shall
22 transfer ownership of the vehicle to the renter within 20
23 calendar days of the agreed-upon date of completion of the
24 rental-purchase agreement. If the licensee fails to transfer
25 ownership of the vehicle to the renter within the 20 calendar
26 days, then the renter may apply for the vehicle's title to the

1 Secretary of State by providing the Secretary the
2 rental-purchase agreement, an application for title, the
3 required title fee, and any other documentation the Secretary
4 deems necessary to determine ownership of the vehicle. For
5 purposes of this subsection (1-5), "rental-purchase agreement"
6 has the meaning set forth in Section 1 of the Rental-Purchase
7 Agreement Act.

8 (m) As used in this Section:

9 (1) "Additional charges" means charges other than: (i)
10 a per period base rental rate; (ii) a mileage charge; (iii)
11 taxes; or (iv) a customer facility charge.

12 (2) "Business program" means:

13 (A) a contract between a person who rents motor
14 vehicles and a business program sponsor that
15 establishes rental rates at which the person will rent
16 motor vehicles to persons authorized by the sponsor; or

17 (B) a plan, program, or other arrangement
18 established by a person who rents motor vehicles at the
19 request of, or with the consent of, a business program
20 sponsor under which the person offers to rent motor
21 vehicles to persons authorized by the sponsor on terms
22 that are not the same as those generally offered by the
23 rental company to the public.

24 (3) "Business program sponsor" means any legal entity
25 other than a natural person, including a corporation,
26 limited liability company, partnership, government,

1 municipality or agency, or a natural person operating a
2 business as a sole proprietor.

3 (4) "Business renter" means any person renting a motor
4 vehicle for business purposes or, for any business program
5 sponsor, a person who is authorized by the sponsor to enter
6 into a rental contract under the sponsor's business
7 program. "Business renter" does not include a person
8 renting as:

9 (A) a non-employee member of a not-for-profit
10 organization;

11 (B) the purchaser of a voucher or other prepaid
12 rental arrangement from a person, including a tour
13 operator, engaged in the business of reselling those
14 vouchers or prepaid rental arrangements to the general
15 public;

16 (C) an individual whose car rental is eligible for
17 reimbursement in whole or in part as a result of the
18 person being insured or provided coverage under a
19 policy of insurance issued by an insurance company; or

20 (D) an individual whose car rental is eligible for
21 reimbursement in whole or in part as a result of the
22 person purchasing motor vehicle repair services from a
23 person licensed to perform those services.

24 (Source: P.A. 100-450, eff. 1-1-18; 100-878, eff. 1-1-19.)

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.".