

SB3247



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3247

Introduced 2/11/2020, by Sen. Brian W. Stewart

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-707

from Ch. 95 1/2, par. 3-707

Amends the Illinois Vehicle Code. Provides that certain penalties regarding the operation of an uninsured motor vehicle apply to any operator of a motor vehicle subject to registration under a law of another state that is similar to the Code.

LRB101 15699 LNS 65054 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 3-707 as follows:

6 (625 ILCS 5/3-707) (from Ch. 95 1/2, par. 3-707)

7 Sec. 3-707. Operation of uninsured motor vehicle - penalty.

8 (a) No person shall operate a motor vehicle in this State
9 unless the motor vehicle is covered by a liability insurance
10 policy in accordance with Section 7-601 of this Code.

11 (a-5) A person commits the offense of operation of
12 uninsured motor vehicle causing bodily harm when the person:

13 (1) operates a motor vehicle in violation of Section
14 7-601 of this Code; and

15 (2) causes, as a proximate result of the person's
16 operation of the motor vehicle, bodily harm to another
17 person.

18 (a-6) Uninsured operation of a motor vehicle under
19 subsection (a-5) is a Class A misdemeanor. If a person
20 convicted of the offense of operation of a motor vehicle under
21 subsection (a-5) has previously been convicted of 2 or more
22 violations of subsection (a-5) of this Section or of Section
23 7-601 of this Code, a fine of \$2,500, in addition to any

1 sentence of incarceration, must be imposed.

2 (b) Any person who fails to comply with a request by a law
3 enforcement officer for display of evidence of insurance, as
4 required under Section 7-602 of this Code, shall be deemed to
5 be operating an uninsured motor vehicle.

6 (c) Except as provided in subsections (a-6) and (c-5), any
7 operator of a motor vehicle subject to registration under this
8 Code, or under a similar law of another state, who is convicted
9 of violating this Section is guilty of a petty offense and
10 shall be required to pay a fine in excess of \$500, but not more
11 than \$1,000, except a person convicted of a third or subsequent
12 violation of this Section shall be guilty of a business offense
13 and shall be required to pay a fine of \$1,000. However, no
14 person charged with violating this Section shall be convicted
15 if such person produces in court satisfactory evidence that at
16 the time of the arrest the motor vehicle was covered by a
17 liability insurance policy in accordance with Section 7-601 of
18 this Code. The chief judge of each circuit may designate an
19 officer of the court to review the documentation demonstrating
20 that at the time of arrest the motor vehicle was covered by a
21 liability insurance policy in accordance with Section 7-601 of
22 this Code.

23 (c-1) A person convicted of violating this Section shall
24 also have his or her driver's license, permit, or privileges
25 suspended for 3 months. After the expiration of the 3 months,
26 the person's driver's license, permit, or privileges shall not

1 be reinstated until he or she has paid a reinstatement fee of
2 \$100. If a person violates this Section while his or her
3 driver's license, permit, or privileges are suspended under
4 this subsection (c-1), his or her driver's license, permit, or
5 privileges shall be suspended for an additional 6 months and
6 until he or she pays the reinstatement fee.

7 (c-5) A person who (i) has not previously been convicted of
8 or received a disposition of court supervision for violating
9 this Section and (ii) produces at his or her court appearance
10 satisfactory evidence that the motor vehicle is covered, as of
11 the date of the court appearance, by a liability insurance
12 policy in accordance with Section 7-601 of this Code shall, for
13 a violation of this Section, other than a violation of
14 subsection (a-5), pay a fine of \$100 and receive a disposition
15 of court supervision. The person must, on the date that the
16 period of court supervision is scheduled to terminate, produce
17 satisfactory evidence that the vehicle was covered by the
18 required liability insurance policy during the entire period of
19 court supervision.

20 An officer of the court designated under subsection (c) may
21 also review liability insurance documentation under this
22 subsection (c-5) to determine if the motor vehicle is, as of
23 the date of the court appearance, covered by a liability
24 insurance policy in accordance with Section 7-601 of this Code.
25 The officer of the court shall also determine, on the date the
26 period of court supervision is scheduled to terminate, whether

1 the vehicle was covered by the required policy during the
2 entire period of court supervision.

3 (d) A person convicted a third or subsequent time of
4 violating this Section or a similar provision of a local
5 ordinance must give proof to the Secretary of State of the
6 person's financial responsibility as defined in Section 7-315.
7 The person must maintain the proof in a manner satisfactory to
8 the Secretary for a minimum period of 3 years after the date
9 the proof is first filed. The Secretary must suspend the
10 driver's license of any person determined by the Secretary not
11 to have provided adequate proof of financial responsibility as
12 required by this subsection.

13 (Source: P.A. 99-613, eff. 1-1-17; 100-202, eff. 1-1-18.)