



Transportation and Motor Vehicles Committee

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09500HB5108ham001

LRB095 15609 WGH 47517 a

1 AMENDMENT TO HOUSE BILL 5108

2 AMENDMENT NO. _____. Amend House Bill 5108 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 4-205 as follows:

6 (625 ILCS 5/4-205) (from Ch. 95 1/2, par. 4-205)

7 Sec. 4-205. Record searches.

8 (a) When a law enforcement agency authorizing the
9 impounding of a vehicle does not know the identity of the
10 registered owner, lienholder or other legally entitled person,
11 that law enforcement agency will cause the vehicle registration
12 records of the State of Illinois to be searched by the
13 Secretary of State for the purpose of obtaining the required
14 ownership information.

15 (b) The law enforcement agency authorizing the impounding
16 of a vehicle will cause the stolen motor vehicle files of the

1 State Police to be searched by a directed communication to the
2 State Police for stolen or wanted information on the vehicle.
3 When the State Police files are searched with negative results,
4 the information contained in the National Crime Information
5 Center (NCIC) files will be searched by the State Police. The
6 information determined from these record searches will be
7 returned to the requesting law enforcement agency for that
8 agency's use in sending a notification by certified mail to the
9 registered owner, lienholder and other legally entitled
10 persons advising where the vehicle is held, requesting a
11 disposition be made and setting forth public sale information.
12 Notification shall be sent no later than 10 business days after
13 the date the law enforcement agency impounds or authorizes the
14 impounding of a vehicle, provided that if the law enforcement
15 agency is unable to determine the identity of the registered
16 owner, lienholder or other person legally entitled to ownership
17 of the impounded vehicle within a 10 business day period after
18 impoundment, then notification shall be sent no later than 2
19 days after the date the identity of the registered owner,
20 lienholder or other person legally entitled to ownership of the
21 impounded vehicle is determined. Exceptions to a notification
22 by certified mail to the registered owner, lienholder and other
23 legally entitled persons are set forth in Section 4-209 of this
24 Code.

25 (c) When ownership information is needed for a towing
26 service to give notification as required under this Code, the

1 towing service may cause the vehicle registration records of
2 the State of Illinois to be searched by the Secretary of State,
3 and in such case, the towing service also shall give notice to
4 all lienholders of record within the time period required for
5 such other notices.

6 The written request of a towing service, in the form and
7 containing the information prescribed by the Secretary of State
8 by rule, may be transmitted to the Secretary of State in
9 person, by U.S. mail or other delivery service, by facsimile
10 transmission, or by other means the Secretary of State deems
11 acceptable.

12 The Secretary of State shall provide the required
13 information, or a statement that the information was not found
14 in the vehicle registration records of the State, by U.S. mail
15 or other delivery service, facsimile transmission, as
16 requested by the towing service, or by other means acceptable
17 to the Secretary of State.

18 (d) The Secretary of State may prescribe standards and
19 procedures for submission of requests for record searches and
20 replies via computer link.

21 (e) Fees for services provided under this Section shall be
22 in amounts prescribed by the Secretary of State under Section
23 3-821.1 of this Code. Payment may be made by the towing service
24 using cash, any commonly accepted credit card, or any other
25 means of payment deemed acceptable by the Secretary of State.

26 (Source: P.A. 89-179, eff. 1-1-96; 89-433, eff. 12-15-95.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".