



Sen. Martin A. Sandoval

**Filed: 5/15/2012**

09700HB1151sam001

LRB097 05771 HEP 69375 a

1 AMENDMENT TO HOUSE BILL 1151

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1151 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 3-104, 3-609 and 11-1301.1 as follows:

6 (625 ILCS 5/3-104) (from Ch. 95 1/2, par. 3-104)

7 Sec. 3-104. Application for certificate of title.

8 (a) The application for a certificate of title for a  
9 vehicle in this State must be made by the owner to the  
10 Secretary of State on the form prescribed and must contain:

11 1. The name, Illinois residence and mail address of the  
12 owner;

13 2. A description of the vehicle including, so far as  
14 the following data exists: Its make, year-model,  
15 identifying number, type of body, whether new or used, as  
16 to house trailers as defined in Section 1-128 of this Code,

1 the square footage of the house trailer based upon the  
2 outside dimensions of the house trailer excluding the  
3 length of the tongue and hitch, and, as to vehicles of the  
4 second division, whether for-hire, not-for-hire, or both  
5 for-hire and not-for-hire;

6 3. The date of purchase by applicant and, if  
7 applicable, the name and address of the person from whom  
8 the vehicle was acquired and the names and addresses of any  
9 lienholders in the order of their priority and signatures  
10 of owners;

11 4. The current odometer reading at the time of transfer  
12 and that the stated odometer reading is one of the  
13 following: actual mileage, not the actual mileage or  
14 mileage is in excess of its mechanical limits; and

15 5. Any further information the Secretary of State  
16 reasonably requires to identify the vehicle and to enable  
17 him to determine whether the owner is entitled to a  
18 certificate of title and the existence or nonexistence of  
19 security interests in the vehicle.

20 (a-5) The Secretary of State shall designate on the  
21 prescribed application form a space where the owner of a  
22 vehicle may designate a beneficiary, to whom ownership of the  
23 vehicle shall pass in the event of the owner's death.

24 (b) If the application refers to a vehicle purchased from a  
25 dealer, it must also be signed by the dealer as well as the  
26 owner, and the dealer must promptly mail or deliver the

1 application and required documents to the Secretary of State.

2 (c) If the application refers to a vehicle last previously  
3 registered in another State or country, the application must  
4 contain or be accompanied by:

5 1. Any certified document of ownership so recognized  
6 and issued by the other State or country and acceptable to  
7 the Secretary of State, and

8 2. Any other information and documents the Secretary of  
9 State reasonably requires to establish the ownership of the  
10 vehicle and the existence or nonexistence of security  
11 interests in it.

12 (d) If the application refers to a new vehicle it must be  
13 accompanied by the Manufacturer's Statement of Origin, or other  
14 documents as required and acceptable by the Secretary of State,  
15 with such assignments as may be necessary to show title in the  
16 applicant.

17 (e) If an application refers to a vehicle rebuilt from a  
18 vehicle previously salvaged, that application shall comply  
19 with the provisions set forth in Sections 3-302 through 3-304  
20 of this Code.

21 (f) An application for a certificate of title for any  
22 vehicle, whether purchased in Illinois or outside Illinois, and  
23 even if previously registered in another State, must be  
24 accompanied by either an exemption determination from the  
25 Department of Revenue showing that no tax imposed pursuant to  
26 the Use Tax Act or the vehicle use tax imposed by Section

1 3-1001 of the Illinois Vehicle Code is owed by anyone with  
2 respect to that vehicle, or a receipt from the Department of  
3 Revenue showing that any tax so imposed has been paid. An  
4 application for a certificate of title for any vehicle  
5 purchased outside Illinois, even if previously registered in  
6 another state, must be accompanied by either an exemption  
7 determination from the Department of Revenue showing that no  
8 tax imposed pursuant to the Municipal Use Tax Act or the County  
9 Use Tax Act is owed by anyone with respect to that vehicle, or  
10 a receipt from the Department of Revenue showing that any tax  
11 so imposed has been paid. In the absence of such a receipt for  
12 payment or determination of exemption from the Department, no  
13 certificate of title shall be issued to the applicant.

14 If the proof of payment of the tax or of nonliability  
15 therefor is, after the issuance of the certificate of title and  
16 display certificate of title, found to be invalid, the  
17 Secretary of State shall revoke the certificate and require  
18 that the certificate of title and, when applicable, the display  
19 certificate of title be returned to him.

20 (g) If the application refers to a vehicle not manufactured  
21 in accordance with federal safety and emission standards, the  
22 application must be accompanied by all documents required by  
23 federal governmental agencies to meet their standards before a  
24 vehicle is allowed to be issued title and registration.

25 (h) If the application refers to a vehicle sold at public  
26 sale by a sheriff, it must be accompanied by the required fee

1 and a bill of sale issued and signed by a sheriff. The bill of  
2 sale must identify the new owner's name and address, the year  
3 model, make and vehicle identification number of the vehicle,  
4 court order document number authorizing such sale, if  
5 applicable, and the name and address of any lienholders in  
6 order of priority, if applicable.

7 (i) If the application refers to a vehicle for which a  
8 court of law determined the ownership, it must be accompanied  
9 with a certified copy of such court order and the required fee.  
10 The court order must indicate the new owner's name and address,  
11 the complete description of the vehicle, if known, the name and  
12 address of the lienholder, if any, and must be signed and dated  
13 by the judge issuing such order.

14 (j) If the application refers to a vehicle sold at public  
15 auction pursuant to the Labor and Storage Lien (Small Amount)  
16 Act, it must be accompanied by an affidavit or affirmation  
17 furnished by the Secretary of State along with the documents  
18 described in the affidavit or affirmation and the required fee.

19 (k) The Secretary may provide an expedited process for the  
20 issuance of vehicle titles. Expedited title applications must  
21 be delivered to the Secretary of State's Vehicle Services  
22 Department in Springfield by express mail service or hand  
23 delivery. Applications must be complete, including necessary  
24 forms, fees, and taxes. Applications received before noon on a  
25 business day will be processed and shipped that same day.  
26 Applications received after noon on a business day will be

1 processed and shipped the next business day. The Secretary  
2 shall charge an additional fee of \$30 for this service, and  
3 that fee shall cover the cost of return shipping via an express  
4 mail service. All fees collected by the Secretary of State for  
5 expedited services shall be deposited into the Motor Vehicle  
6 License Plate Fund. In the event the Vehicle Services  
7 Department determines that the volume of expedited title  
8 requests received on a given day exceeds the ability of the  
9 Vehicle Services Department to process those requests in an  
10 expedited manner, the Vehicle Services Department may decline  
11 to provide expedited services, and the additional fee for the  
12 expedited service shall be refunded to the applicant.

13 (1) If the application refers to a homemade trailer, (i) it  
14 must be accompanied by the appropriate documentation regarding  
15 the source of materials used in the construction of the  
16 trailer, as required by the Secretary of State, (ii) the  
17 trailer must be inspected by a Secretary of State employee  
18 ~~investigator, as described in Section 2-115 of this Code,~~ prior  
19 to the issuance of the title, and (iii) upon approval of the  
20 Secretary of State, the trailer must have a vehicle  
21 identification number, as provided by the Secretary of State,  
22 stamped or riveted to the frame.

23 (Source: P.A. 95-784, eff. 1-1-09; 96-519, eff. 1-1-10; 96-554,  
24 eff. 1-1-10; 96-1000, eff. 7-2-10.)

1           Sec. 3-609. Disabled Veterans' Plates.

2           (a) Any veteran who holds proof of a service-connected  
3 disability from the United States Department of Veterans  
4 Affairs, and who has obtained certification from a licensed  
5 physician, physician assistant, or advanced practice nurse  
6 that the service-connected disability qualifies the veteran  
7 for issuance of registration plates or decals to a person with  
8 disabilities in accordance with Section 3-616, may, without the  
9 payment of any registration fee, make application to the  
10 Secretary of State for disabled veterans license plates  
11 displaying the international symbol of access, for the  
12 registration of one motor vehicle of the first division or one  
13 motor vehicle of the second division weighing not more than  
14 8,000 pounds.

15           (b) Any veteran who holds proof of a service-connected  
16 disability from the United States Department of Veterans  
17 Affairs, and whose degree of disability has been declared to be  
18 50% or more, but whose disability does not qualify the veteran  
19 for a plate or decal for persons with disabilities under  
20 Section 3-616, may, without the payment of any registration  
21 fee, make application to the Secretary for a special  
22 registration plate without the international symbol of access  
23 for the registration of one motor vehicle of the first division  
24 or one motor vehicle of the second division weighing not more  
25 than 8,000 pounds. Any veteran may make application for the  
26 registration of one motor vehicle of the first division or one

1 ~~motor vehicle of the second division weighing not more than~~  
2 ~~8,000 pounds to the Secretary of State without the payment of~~  
3 ~~any registration fee if (i) the veteran holds proof of a~~  
4 ~~service-connected disability from the United States Department~~  
5 ~~of Veterans Affairs and (ii) a licensed physician, physician~~  
6 ~~assistant, or advanced practice nurse has certified in~~  
7 ~~accordance with Section 3-616 that because of the~~  
8 ~~service connected disability the veteran qualifies for~~  
9 ~~issuance of registration plates or decals to a person with~~  
10 ~~disabilities. The Secretary may, in his or her discretion,~~  
11 ~~allow the plates to be issued as vanity or personalized plates~~  
12 ~~in accordance with Section 3-405.1 of this Code. Registration~~  
13 ~~shall be for a multi-year period and may be issued staggered~~  
14 ~~registration.~~

15 (c) Renewal of such registration must be accompanied with  
16 documentation for eligibility of registration without fee  
17 unless the applicant has a permanent qualifying disability, and  
18 such registration plates may not be issued to any person not  
19 eligible therefor. The Illinois Department of Veterans'  
20 Affairs may assist in providing the documentation of  
21 disability.

22 (d) The design and color of the plates shall be within the  
23 discretion of the Secretary, except that the plates issued  
24 under subsection (b) of this Section shall not contain the  
25 international symbol of access. The Secretary may, in his or  
26 her discretion, allow the plates to be issued as vanity or



1 personalized plates in accordance with Section 3-405.1 of this  
2 Code. Registration shall be for a multi-year period and may be  
3 issued staggered registration.

4 (e) Any ~~Commencing with the 2009 registration year, any~~  
5 person eligible to receive license plates under this Section  
6 who has been approved for benefits under the Senior Citizens  
7 and Disabled Persons Property Tax Relief and Pharmaceutical  
8 Assistance Act, or who has claimed and received a grant under  
9 that Act, shall pay a fee of \$24 instead of the fee otherwise  
10 provided in this Code for passenger cars displaying standard  
11 multi-year registration plates issued under Section 3-414.1,  
12 for motor vehicles registered at 8,000 pounds or less under  
13 Section 3-815(a), or for recreational vehicles registered at  
14 8,000 pounds or less under Section 3-815(b), for a second set  
15 of plates under this Section.

16 (Source: P.A. 95-157, eff. 1-1-08; 95-167, eff. 1-1-08; 95-353,  
17 eff. 1-1-08; 95-876, eff. 8-21-08; 96-79, eff. 1-1-10.)

18 (625 ILCS 5/11-1301.1) (from Ch. 95 1/2, par. 11-1301.1)

19 Sec. 11-1301.1. Persons with disabilities - Parking  
20 privileges - Exemptions.

21 (a) A motor vehicle bearing registration plates issued to a  
22 person with disabilities, as defined by Section 1-159.1,  
23 pursuant to Section 3-616 or to a disabled veteran pursuant to  
24 subsection (a) of Section 3-609 or a special decal or device  
25 issued pursuant to Section 3-616 or pursuant to Section

1 11-1301.2 of this Code or a motor vehicle registered in another  
2 jurisdiction, state, district, territory or foreign country  
3 upon which is displayed a registration plate, special decal or  
4 device issued by the other jurisdiction designating the vehicle  
5 is operated by or for a person with disabilities shall be  
6 exempt from the payment of parking meter fees and exempt from  
7 any statute or ordinance imposing time limitations on parking,  
8 except limitations of one-half hour or less, on any street or  
9 highway zone, or any parking lot or parking place which are  
10 owned, leased or owned and leased by a municipality or a  
11 municipal parking utility; and shall be recognized by state and  
12 local authorities as a valid license plate or parking device  
13 and shall receive the same parking privileges as residents of  
14 this State; but, such vehicle shall be subject to the laws  
15 which prohibit parking in "no stopping" and "no standing" zones  
16 in front of or near fire hydrants, driveways, public building  
17 entrances and exits, bus stops and loading areas, and is  
18 prohibited from parking where the motor vehicle constitutes a  
19 traffic hazard, whereby such motor vehicle shall be moved at  
20 the instruction and request of a law enforcement officer to a  
21 location designated by the officer.

22 (b) Any motor vehicle bearing registration plates or a  
23 special decal or device specified in this Section or in Section  
24 3-616 of this Code or such parking device as specifically  
25 authorized in Section 11-1301.2 as evidence that the vehicle is  
26 operated by or for a person with disabilities or bearing

1 registration plates issued to a disabled veteran under  
2 subsection (a) of Section 3-609 may park, in addition to any  
3 other lawful place, in any parking place specifically reserved  
4 for such vehicles by the posting of an official sign as  
5 provided under Section 11-301. Parking privileges granted by  
6 this Section are strictly limited to the person to whom the  
7 special registration plates, special decal or device were  
8 issued and to qualified operators acting under his or her  
9 express direction while the person with disabilities is  
10 present. A person to whom privileges were granted shall, at the  
11 request of a police officer or any other person invested by law  
12 with authority to direct, control, or regulate traffic, present  
13 an identification card with a picture as verification that the  
14 person is the person to whom the special registration plates,  
15 special decal or device was issued.

16 (c) Such parking privileges granted by this Section are  
17 also extended to motor vehicles of not-for-profit  
18 organizations used for the transportation of persons with  
19 disabilities when such motor vehicles display the decal or  
20 device issued pursuant to Section 11-1301.2 of this Code.

21 (d) No person shall use any area for the parking of any  
22 motor vehicle pursuant to Section 11-1303 of this Code or where  
23 an official sign controlling such area expressly prohibits  
24 parking at any time or during certain hours.

25 (Source: P.A. 95-167, eff. 1-1-08; 96-79, eff. 1-1-10.)

1           Section 99. Effective date. This Act takes effect January  
2    1, 2013.".