



Rep. Keith P. Sommer

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09700HB2267ham002

LRB097 07392 HEP 53572 a

1 AMENDMENT TO HOUSE BILL 2267

2 AMENDMENT NO. _____. Amend House Bill 2267 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing 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 unless the
9 motor vehicle is covered by a liability insurance policy in
10 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

1 person.

2 (a-6) Uninsured operation of a motor vehicle under
3 subsection (a-5) is a Class A misdemeanor. If a person
4 convicted of the offense of operation of a motor vehicle under
5 subsection (a-5) has previously been convicted of 2 or more
6 violations of Section 7-601 of this Code, a fine of \$2,500, in
7 addition to any sentence of incarceration, must be imposed.

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

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

1 (c-1) A person convicted of violating this Section shall
2 also have his or her driver's license, permit, or privileges
3 suspended for 3 months. After the expiration of the 3 months,
4 the person's driver's license, permit, or privileges shall not
5 be reinstated until he or she has paid a reinstatement fee of
6 \$100. If a person violates this Section while his or her
7 driver's license, permit, or privileges are suspended under
8 this subsection (c-1), his or her driver's license, permit, or
9 privileges shall be suspended for an additional 6 months and
10 until he or she pays the reinstatement fee.

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

24 An officer of the court designated under subsection (c) may
25 also review liability insurance documentation under this
26 subsection (c-5) to determine if the motor vehicle is, as of

1 the date of the court appearance, covered by a liability
2 insurance policy in accordance with Section 7-601 of this Code.
3 The officer of the court shall also determine, on the date the
4 period of court supervision is scheduled to terminate, whether
5 the vehicle was covered by the required policy during the
6 entire period of court supervision.

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

17 (Source: P.A. 95-211, eff. 1-1-08; 95-686, eff. 6-1-08; 95-876,
18 eff. 8-21-08; 96-143, eff. 1-1-10.)".