



Rep. Rita Mayfield

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09700HB4145ham001

LRB097 17640 KMW 65061 a

1 AMENDMENT TO HOUSE BILL 4145

2 AMENDMENT NO. _____. Amend House Bill 4145 as follows:

3 on page 2, line 17, after "wrecking", by inserting "l
4 selling,"; and

5 on page 2, by replacing line 19 with the following:

6 "Section 10. The Illinois Municipal Code is amended by
7 changing Section 11-40-3.1 as follows:

8 (65 ILCS 5/11-40-3.1) (from Ch. 24, par. 11-40-3.1)

9 Sec. 11-40-3.1. The General Assembly hereby finds that in
10 municipalities of more than 1,000,000 inhabitants, the
11 proliferation of hazardous dilapidated motor vehicles
12 constitutes a hazard to the health, safety and welfare of the
13 public, and that addressing the problems caused by such
14 abandoned dilapidated vehicles constitutes a compelling and

1 fundamental governmental interest. The General Assembly also
2 finds that the only effective method of dealing with the
3 problem is to promulgate a comprehensive scheme to expedite the
4 towing and disposal of such vehicles. The corporate authorities
5 of each municipality of 1,000,000 inhabitants or more may by
6 ordinance declare all inoperable motor vehicles, whether on
7 public or private property and in view of the general public,
8 to be hazardous dilapidated motor vehicles, and may authorize a
9 law enforcement agency, with applicable jurisdiction, to
10 remove immediately, any hazardous dilapidated motor vehicle or
11 parts thereof. Nothing in this Section shall apply to any motor
12 vehicle that is kept within a building when not in use, to
13 operable historic vehicles over 25 years of age, or to a motor
14 vehicle on the premises of a place of business engaged in the
15 wrecking, selling, or junking of motor vehicles.

16 As used in this Section, "hazardous dilapidated motor
17 vehicle" means any motor vehicle with a substantial number of
18 essential parts, as defined by Section 1-118 of The Illinois
19 Vehicle Code, either damaged, removed or altered or otherwise
20 so treated that the vehicle is incapable of being driven under
21 its own motor power or, which by its general state of
22 deterioration, poses a threat to the public's health, safety
23 and welfare. "Hazardous dilapidated motor vehicle" shall not
24 include a motor vehicle which has been rendered temporarily
25 incapable of being driven under its own motor power in order to
26 perform ordinary service or repair operations. The owner of a

1 vehicle towed under the provisions of this Section shall be
2 entitled to any hearing or review of the towing of such vehicle
3 as provided by State or local law.

4 (Source: P.A. 86-460.)

5 Section 15. The Illinois Vehicle Code is amended by".