



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5384

Introduced 2/15/2012, by Rep. Richard Morthland

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-415
625 ILCS 5/7-601

from Ch. 95 1/2, par. 3-415
from Ch. 95 1/2, par. 7-601

Amends the Illinois Vehicle Code. Provides that the Secretary of State may not register or renew the registration of any vehicle that is subject to liability insurance requirements without first verifying that the vehicle is covered by liability insurance in amounts no less than the statutory minimums.

LRB097 19059 HEP 64298 b

FISCAL NOTE ACT
MAY APPLY

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 3-415 and 7-601 as follows:

6 (625 ILCS 5/3-415) (from Ch. 95 1/2, par. 3-415)

7 Sec. 3-415. Application for and renewal of registration.

8 (a) Calendar year. Application for renewal of a vehicle
9 registration shall be made by the owner, as to those vehicles
10 required to be registered on a calendar registration year, not
11 later than December 1 of each year, upon proper application and
12 by payment of the registration fee and tax for such vehicle, as
13 provided by law except that application for renewal of a
14 vehicle registration, as to those vehicles required to be
15 registered on a staggered calendar year basis, shall be made by
16 the owner in the form and manner prescribed by the Secretary of
17 State.

18 (b) Fiscal year. Application for renewal of a vehicle
19 registration shall be made by the owner, as to those vehicles
20 required to be registered on a fiscal registration year, not
21 later than June 1 of each year, upon proper application and by
22 payment of the registration fee and tax for such vehicle as
23 provided by law, except that application for renewal of a

1 vehicle registration, as to those vehicles required to be
2 registered on a staggered fiscal year basis, shall be made by
3 the owner in the form and manner prescribed by the Secretary of
4 State.

5 (c) Two calendar years. Application for renewal of a
6 vehicle registration shall be made by the owner, as to those
7 vehicles required to be registered for 2 calendar years, not
8 later than December 1 of the year preceding commencement of the
9 2-year registration period, except that application for
10 renewal of a vehicle registration, as to those vehicles
11 required to be registered for 2 years on a staggered
12 registration basis, shall be made by the owner in the form and
13 manner prescribed by the Secretary of State.

14 (d) Two fiscal years. Application for renewal of a vehicle
15 registration shall be made by the owner, as to those vehicles
16 required to be registered for 2 fiscal years, not later than
17 June 1 immediately preceding commencement of the 2-year
18 registration period, except that application for renewal of a
19 vehicle registration, as to those vehicles required to be
20 registered for 2 fiscal years on a staggered registration
21 basis, shall be made by the owner in the form and manner
22 prescribed by the Secretary of State.

23 (d-5) Three calendar years. Application for renewal of a
24 vehicle registration shall be made by the owner, as to those
25 vehicles required to be registered for 3 calendar years, not
26 later than December 1 of the year preceding commencement of the

1 3-year registration period.

2 (e) Time of application. The Secretary of State may receive
3 applications for renewal of registration and grant the same and
4 issue new registration cards and plates or registration
5 stickers at any time prior to expiration of registration. No
6 person shall display upon a vehicle, the new registration
7 plates or registration stickers prior to the dates the
8 Secretary of State in his discretion may select.

9 (f) Verification. The Secretary of State may further
10 require, as to vehicles for-hire, that applications be
11 accompanied by verification that fees due under the Illinois
12 Motor Carrier of Property Law, as amended, have been paid.

13 (g) Applications for registration renewal shall include
14 information relating to the insurance policy for the motor
15 vehicle, including the name of the insurer that issued the
16 policy, the policy number, and the expiration date of the
17 policy. The Secretary of State may not register or renew the
18 registration of any vehicle that is subject to the requirements
19 of subsection (a) of Section 7-601 of this Code without first
20 verifying that the vehicle is insured in conformity with the
21 requirements of that subsection.

22 (Source: P.A. 96-747, eff. 1-1-10.)

23 (625 ILCS 5/7-601) (from Ch. 95 1/2, par. 7-601)

24 Sec. 7-601. Required liability insurance policy.

25 (a) No person shall operate, register or maintain

1 registration of, and no owner shall permit another person to
2 operate, register or maintain registration of, a motor vehicle
3 designed to be used on a public highway unless the motor
4 vehicle is covered by a liability insurance policy.

5 The insurance policy shall be issued in amounts no less
6 than the minimum amounts set for bodily injury or death and for
7 destruction of property under Section 7-203 of this Code, and
8 shall be issued in accordance with the requirements of Sections
9 143a and 143a-2 of the Illinois Insurance Code, as amended. No
10 insurer other than an insurer authorized to do business in this
11 State shall issue a policy pursuant to this Section for any
12 vehicle subject to registration under this Code. Nothing herein
13 shall deprive an insurer of any policy defense available at
14 common law.

15 (b) The following vehicles are exempt from the requirements
16 of this Section:

17 (1) vehicles subject to the provisions of Chapters 8 or
18 18a, Article III or Section 7-609 of Chapter 7, or Sections
19 12-606 or 12-707.01 of Chapter 12 of this Code;

20 (2) vehicles required to file proof of liability
21 insurance with the Illinois Commerce Commission;

22 (3) vehicles covered by a certificate of
23 self-insurance under Section 7-502 of this Code;

24 (4) vehicles owned by the United States, the State of
25 Illinois, or any political subdivision, municipality or
26 local mass transit district;

1 (5) implements of husbandry;

2 (6) other vehicles complying with laws which require
3 them to be insured in amounts meeting or exceeding the
4 minimum amounts required under this Section; and

5 (7) inoperable or stored vehicles that are not
6 operated, as defined by rules and regulations of the
7 Secretary.

8 (c) Every employee of a State agency, as that term is
9 defined in the Illinois State Auditing Act, who is assigned a
10 specific vehicle owned or leased by the State on an ongoing
11 basis shall provide the certification described in this Section
12 annually to the director or chief executive officer of his or
13 her agency.

14 The certification shall affirm that the employee is duly
15 licensed to drive the assigned vehicle and that (i) the
16 employee has liability insurance coverage extending to the
17 employee when the assigned vehicle is used for other than
18 official State business, or (ii) the employee has filed a bond
19 with the Secretary of State as proof of financial
20 responsibility, in an amount equal to, or in excess of the
21 requirements stated within this Section. Upon request of the
22 agency director or chief executive officer, the employee shall
23 present evidence to support the certification.

24 The certification shall be provided during the period July
25 1 through July 31 of each calendar year, or within 30 days of
26 any new assignment of a vehicle on an ongoing basis, whichever

1 is later.

2 The employee's authorization to use the assigned vehicle
3 shall automatically be rescinded upon:

4 (1) the revocation or suspension of the license
5 required to drive the assigned vehicle;

6 (2) the cancellation or termination for any reason of
7 the automobile liability insurance coverage as required in
8 item (c) (i); or

9 (3) the termination of the bond filed with the
10 Secretary of State.

11 All State employees providing the required certification
12 shall immediately notify the agency director or chief executive
13 officer in the event any of these actions occur.

14 All peace officers employed by a State agency who are
15 primarily responsible for prevention and detection of crime and
16 the enforcement of the criminal, traffic, or highway laws of
17 this State, and prohibited by agency rule or policy to use an
18 assigned vehicle owned or leased by the State for regular
19 personal or off-duty use, are exempt from the requirements of
20 this Section.

21 (d) The Secretary of State may not register or renew the
22 registration of any vehicle that is subject to the requirements
23 of subsection (a) of this Section without first verifying that
24 the vehicle is insured in conformity with the requirements of
25 that subsection.

26 (Source: P.A. 91-661, eff. 12-22-99.)