



Sen. Edward D. Maloney

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09700SB2064sam002

LRB097 10157 HEP 53325 a

1 AMENDMENT TO SENATE BILL 2064

2 AMENDMENT NO. _____. Amend Senate Bill 2064 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 3-704 as follows:

6 (625 ILCS 5/3-704) (from Ch. 95 1/2, par. 3-704)

7 Sec. 3-704. Authority of Secretary of State to suspend or
8 revoke a registration or certificate of title; authority to
9 suspend or revoke the registration of a vehicle.

10 (a) The Secretary of State may suspend or revoke the
11 registration of a vehicle or a certificate of title,
12 registration card, registration sticker, registration plate,
13 disability parking decal or device, or any nonresident or other
14 permit in any of the following events:

15 1. When the Secretary of State is satisfied that such
16 registration or that such certificate, card, plate,

1 registration sticker or permit was fraudulently or
2 erroneously issued;

3 2. When a registered vehicle has been dismantled or
4 wrecked or is not properly equipped;

5 3. When the Secretary of State determines that any
6 required fees have not been paid to the Secretary of State,
7 to the Illinois Commerce Commission, or to the Illinois
8 Department of Revenue under the Motor Fuel Tax Law, and the
9 same are not paid upon reasonable notice and demand;

10 4. When a registration card, registration plate,
11 registration sticker or permit is knowingly displayed upon
12 a vehicle other than the one for which issued;

13 5. When the Secretary of State determines that the
14 owner has committed any offense under this Chapter
15 involving the registration or the certificate, card,
16 plate, registration sticker or permit to be suspended or
17 revoked;

18 6. When the Secretary of State determines that a
19 vehicle registered not-for-hire is used or operated
20 for-hire unlawfully, or used or operated for purposes other
21 than those authorized;

22 7. When the Secretary of State determines that an owner
23 of a for-hire motor vehicle has failed to give proof of
24 financial responsibility as required by this Act;

25 8. When the Secretary determines that the vehicle is
26 not subject to or eligible for a registration;

1 9. When the Secretary determines that the owner of a
2 vehicle registered under the mileage weight tax option
3 fails to maintain the records specified by law, or fails to
4 file the reports required by law, or that such vehicle is
5 not equipped with an operable and operating speedometer or
6 odometer;

7 10. When the Secretary of State is so authorized under
8 any other provision of law;

9 11. When the Secretary of State determines that the
10 holder of a disability parking decal or device has
11 committed any offense under Chapter 11 of this Code
12 involving the use of a disability parking decal or device.

13 (a-5) The Secretary of State may revoke a certificate of
14 title and registration card and issue a corrected certificate
15 of title and registration card, at no fee to the vehicle owner
16 or lienholder, if there is proof that the vehicle
17 identification number is erroneously shown on the original
18 certificate of title.

19 (b) The Secretary of State may suspend or revoke the
20 registration of a vehicle as follows:

21 1. When the Secretary of State determines that the
22 owner of a vehicle has not paid a civil penalty or a
23 settlement agreement arising from the violation of rules
24 adopted under the Illinois Motor Carrier Safety Law or the
25 Illinois Hazardous Materials Transportation Act or that a
26 vehicle, regardless of ownership, was the subject of

1 violations of these rules that resulted in a civil penalty
2 or settlement agreement which remains unpaid.

3 2. When the Secretary of State determines that a
4 vehicle registered for a gross weight of more than 16,000
5 pounds within an affected area is not in compliance with
6 the provisions of Section 13-109.1 of the Illinois Vehicle
7 Code.

8 3. When the Secretary of State is notified by the
9 United States Department of Transportation that a vehicle
10 is in violation of the Federal Motor Carrier Safety
11 Regulations, as they are now or hereafter amended, and is
12 prohibited from operating.

13 4. When a court finds that the vehicle was used in a
14 violation of Section 24-3A of the Criminal Code of 1961
15 relating to gunrunning. A suspension or revocation of
16 registration under this paragraph 4 may be for a period of
17 up to 90 days.

18 (Source: P.A. 94-239, eff. 1-1-06; 94-619, eff. 1-1-06; 94-759,
19 eff. 5-12-06; 95-287, eff. 1-1-08.)

20 Section 99. Effective date. This Act takes effect January
21 1, 2012."