

HB3804



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3804

by Rep. Al Riley

SYNOPSIS AS INTRODUCED:

625 ILCS 5/4-205

from Ch. 95 1/2, par. 4-205

Amends the Illinois Vehicle Code. Provides that when ownership information is needed for a towing service to give notification to the vehicle owner, the towing service shall (rather than may) cause the vehicle registration records of the State of Illinois to be searched by the Secretary of State.

LRB099 10098 RJF 30321 b

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 4-205 as follows:

6 (625 ILCS 5/4-205) (from Ch. 95 1/2, par. 4-205)

7 Sec. 4-205. Record searches.

8 (a) When a law enforcement agency authorizing the
9 impounding of a vehicle does not know the identity of the
10 registered owner, lienholder or other legally entitled person,
11 that law enforcement agency will cause the vehicle registration
12 records of the State of Illinois to be searched by the
13 Secretary of State for the purpose of obtaining the required
14 ownership information.

15 (b) The law enforcement agency authorizing the impounding
16 of a vehicle will cause the stolen motor vehicle files of the
17 State Police to be searched by a directed communication to the
18 State Police for stolen or wanted information on the vehicle.
19 When the State Police files are searched with negative results,
20 the information contained in the National Crime Information
21 Center (NCIC) files will be searched by the State Police. The
22 information determined from these record searches will be
23 returned to the requesting law enforcement agency for that

1 agency's use in sending a notification by certified mail to the
2 registered owner, lienholder and other legally entitled
3 persons advising where the vehicle is held, requesting a
4 disposition be made and setting forth public sale information.
5 Notification shall be sent no later than 10 business days after
6 the date the law enforcement agency impounds or authorizes the
7 impounding of a vehicle, provided that if the law enforcement
8 agency is unable to determine the identity of the registered
9 owner, lienholder or other person legally entitled to ownership
10 of the impounded vehicle within a 10 business day period after
11 impoundment, then notification shall be sent no later than 2
12 days after the date the identity of the registered owner,
13 lienholder or other person legally entitled to ownership of the
14 impounded vehicle is determined. Exceptions to a notification
15 by certified mail to the registered owner, lienholder and other
16 legally entitled persons are set forth in Section 4-209 of this
17 Code.

18 (c) When ownership information is needed for a towing
19 service to give notification as required under this Code, the
20 towing service shall ~~may~~ cause the vehicle registration records
21 of the State of Illinois to be searched by the Secretary of
22 State, and in such case, the towing service also shall give
23 notice to all lienholders of record within the time period
24 required for such other notices.

25 The written request of a towing service, in the form and
26 containing the information prescribed by the Secretary of State

1 by rule, may be transmitted to the Secretary of State in
2 person, by U.S. mail or other delivery service, by facsimile
3 transmission, or by other means the Secretary of State deems
4 acceptable.

5 The Secretary of State shall provide the required
6 information, or a statement that the information was not found
7 in the vehicle registration records of the State, by U.S. mail
8 or other delivery service, facsimile transmission, as
9 requested by the towing service, or by other means acceptable
10 to the Secretary of State.

11 (d) The Secretary of State may prescribe standards and
12 procedures for submission of requests for record searches and
13 replies via computer link.

14 (e) Fees for services provided under this Section shall be
15 in amounts prescribed by the Secretary of State under Section
16 3-821.1 of this Code. Payment may be made by the towing service
17 using cash, any commonly accepted credit card, or any other
18 means of payment deemed acceptable by the Secretary of State.

19 (Source: P.A. 95-838, eff. 8-15-08.)