

AN ACT concerning transportation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Illinois Vehicle Code is amended by changing Sections 4-203, 6-118, 11-1431, 18a-300, and 18d-153 and by adding Section 4-203.5 as follows:

(625 ILCS 5/4-203) (from Ch. 95 1/2, par. 4-203)

Sec. 4-203. Removal of motor vehicles or other vehicles;
Towing or hauling away.

(a) When a vehicle is abandoned, or left unattended, on a toll highway, interstate highway, or expressway for 2 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(b) When a vehicle is abandoned on a highway in an urban district 10 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(c) When a vehicle is abandoned or left unattended on a highway other than a toll highway, interstate highway, or expressway, outside of an urban district for 24 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(d) When an abandoned, unattended, wrecked, burned or partially dismantled vehicle is creating a traffic hazard

because of its position in relation to the highway or its physical appearance is causing the impeding of traffic, its immediate removal from the highway or private property adjacent to the highway by a towing service may be authorized by a law enforcement agency having jurisdiction.

(e) Whenever a peace officer reasonably believes that a person under arrest for a violation of Section 11-501 of this Code or a similar provision of a local ordinance is likely, upon release, to commit a subsequent violation of Section 11-501, or a similar provision of a local ordinance, the arresting officer shall have the vehicle which the person was operating at the time of the arrest impounded for a period of not more than 12 hours after the time of arrest. However, such vehicle may be released by the arresting law enforcement agency prior to the end of the impoundment period if:

(1) the vehicle was not owned by the person under arrest, and the lawful owner requesting such release possesses a valid operator's license, proof of ownership, and would not, as determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner, or who would otherwise, by operating such motor vehicle, be in violation of this Code; or

(2) the vehicle is owned by the person under arrest, and the person under arrest gives permission to another person to operate such vehicle, provided however, that the

other person possesses a valid operator's license and would not, as determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner or who would otherwise, by operating such motor vehicle, be in violation of this Code.

(e-5) Whenever a registered owner of a vehicle is taken into custody for operating the vehicle in violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code, a law enforcement officer may have the vehicle immediately impounded for a period not less than:

(1) 24 hours for a second violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code or a combination of these offenses; or

(2) 48 hours for a third violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code or a combination of these offenses.

The vehicle may be released sooner if the vehicle is owned by the person under arrest and the person under arrest gives permission to another person to operate the vehicle and that other person possesses a valid operator's license and would not, as determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner or would otherwise, by operating the motor vehicle, be

in violation of this Code.

(f) Except as provided in Chapter 18a of this Code, the owner or lessor of privately owned real property within this State, or any person authorized by such owner or lessor, or any law enforcement agency in the case of publicly owned real property may cause any motor vehicle abandoned or left unattended upon such property without permission to be removed by a towing service without liability for the costs of removal, transportation or storage or damage caused by such removal, transportation or storage. The towing or removal of any vehicle from private property without the consent of the registered owner or other legally authorized person in control of the vehicle is subject to compliance with the following conditions and restrictions:

1. Any towed or removed vehicle must be stored at the site of the towing service's place of business. The site must be open during business hours, and for the purpose of redemption of vehicles, during the time that the person or firm towing such vehicle is open for towing purposes.

2. The towing service shall within 30 minutes of completion of such towing or removal, notify the law enforcement agency having jurisdiction of such towing or removal, and the make, model, color and license plate number of the vehicle, and shall obtain and record the name of the person at the law enforcement agency to whom such information was reported.

3. If the registered owner or legally authorized person entitled to possession of the vehicle shall arrive at the scene prior to actual removal or towing of the vehicle, the vehicle shall be disconnected from the tow truck and that person shall be allowed to remove the vehicle without interference, upon the payment of a reasonable service fee of not more than one half the posted rate of the towing service as provided in paragraph 6 of this subsection, for which a receipt shall be given.

4. The rebate or payment of money or any other valuable consideration from the towing service or its owners, managers or employees to the owners or operators of the premises from which the vehicles are towed or removed, for the privilege of removing or towing those vehicles, is prohibited. Any individual who violates this paragraph shall be guilty of a Class A misdemeanor.

5. Except for property appurtenant to and obviously a part of a single family residence, and except for instances where notice is personally given to the owner or other legally authorized person in control of the vehicle that the area in which that vehicle is parked is reserved or otherwise unavailable to unauthorized vehicles and they are subject to being removed at the owner or operator's expense, any property owner or lessor, prior to towing or removing any vehicle from private property without the consent of the owner or other legally authorized person in

control of that vehicle, must post a notice meeting the following requirements:

a. Except as otherwise provided in subparagraph a.1 of this subdivision (f)5, the notice must be prominently placed at each driveway access or curb cut allowing vehicular access to the property within 5 feet from the public right-of-way line. If there are no curbs or access barriers, the sign must be posted not less than one sign each 100 feet of lot frontage.

a.1. In a municipality with a population of less than 250,000, as an alternative to the requirement of subparagraph a of this subdivision (f)5, the notice for a parking lot contained within property used solely for a 2-family, 3-family, or 4-family residence may be prominently placed at the perimeter of the parking lot, in a position where the notice is visible to the occupants of vehicles entering the lot.

b. The notice must indicate clearly, in not less than 2 inch high light-reflective letters on a contrasting background, that unauthorized vehicles will be towed away at the owner's expense.

c. The notice must also provide the name and current telephone number of the towing service towing or removing the vehicle.

d. The sign structure containing the required notices must be permanently installed with the bottom

of the sign not less than 4 feet above ground level, and must be continuously maintained on the property for not less than 24 hours prior to the towing or removing of any vehicle.

6. Any towing service that tows or removes vehicles and proposes to require the owner, operator, or person in control of the vehicle to pay the costs of towing and storage prior to redemption of the vehicle must file and keep on record with the local law enforcement agency a complete copy of the current rates to be charged for such services, and post at the storage site an identical rate schedule and any written contracts with property owners, lessors, or persons in control of property which authorize them to remove vehicles as provided in this Section. The towing and storage charges, however, shall not exceed the maximum allowed by the Illinois Commerce Commission under Section 18a-200.

7. No person shall engage in the removal of vehicles from private property as described in this Section without filing a notice of intent in each community where he intends to do such removal, and such notice shall be filed at least 7 days before commencing such towing.

8. No removal of a vehicle from private property shall be done except upon express written instructions of the owners or persons in charge of the private property upon which the vehicle is said to be trespassing.

9. Vehicle entry for the purpose of removal shall be allowed with reasonable care on the part of the person or firm towing the vehicle. Such person or firm shall be liable for any damages occasioned to the vehicle if such entry is not in accordance with the standards of reasonable care.

9.5. Except as authorized by a law enforcement officer, no towing service shall engage in the removal of a commercial motor vehicle that requires a commercial driver's license to operate by operating the vehicle under its own power on a highway.

10. When a vehicle has been towed or removed pursuant to this Section, it must be released to its owner or custodian within one half hour after requested, if such request is made during business hours. Any vehicle owner or custodian or agent shall have the right to inspect the vehicle before accepting its return, and no release or waiver of any kind which would release the towing service from liability for damages incurred during the towing and storage may be required from any vehicle owner or other legally authorized person as a condition of release of the vehicle. A detailed, signed receipt showing the legal name of the towing service must be given to the person paying towing or storage charges at the time of payment, whether requested or not.

This Section shall not apply to law enforcement,

firefighting, rescue, ambulance, or other emergency vehicles which are marked as such or to property owned by any governmental entity.

When an authorized person improperly causes a motor vehicle to be removed, such person shall be liable to the owner or lessee of the vehicle for the cost or removal, transportation and storage, any damages resulting from the removal, transportation and storage, attorney's fee and court costs.

Any towing or storage charges accrued shall be payable by the use of any major credit card, in addition to being payable in cash.

11. Towing companies shall also provide insurance coverage for areas where vehicles towed under the provisions of this Chapter will be impounded or otherwise stored, and shall adequately cover loss by fire, theft or other risks.

Any person who fails to comply with the conditions and restrictions of this subsection shall be guilty of a Class C misdemeanor and shall be fined not less than \$100 nor more than \$500.

(g)(1) When a vehicle is determined to be a hazardous dilapidated motor vehicle pursuant to Section 11-40-3.1 of the Illinois Municipal Code or Section 5-12002.1 of the Counties Code, its removal and impoundment by a towing service may be authorized by a law enforcement agency with appropriate jurisdiction.

(2) When a vehicle removal from either public or private property is authorized by a law enforcement agency, the owner of the vehicle shall be responsible for all towing and storage charges.

(3) Vehicles removed from public or private property and stored by a commercial vehicle relocater or any other towing service authorized by a law enforcement agency in compliance with this Section and Sections 4-201 and 4-202 of this Code, or at the request of the vehicle owner or operator, shall be subject to a possessor lien for services pursuant to the Labor and Storage Lien (Small Amount) Act. The provisions of Section 1 of that Act relating to notice and implied consent shall be deemed satisfied by compliance with Section 18a-302 and subsection (6) of Section 18a-300. In no event shall such lien be greater than the rate or rates established in accordance with subsection (6) of Section 18a-200 of this Code. In no event shall such lien be increased or altered to reflect any charge for services or materials rendered in addition to those authorized by this Act. Every such lien shall be payable by use of any major credit card, in addition to being payable in cash.

(4) Any personal property belonging to the vehicle owner in a vehicle subject to a lien under this subsection (g) shall likewise be subject to that lien, excepting only: child restraint systems as defined in Section 4 of the Child Passenger Protection Act and other child booster seats; eyeglasses; food; medicine; perishable property; any

operator's licenses; any cash, credit cards, or checks or checkbooks; any wallet, purse, or other property containing any operator's license or other identifying documents or materials, cash, credit cards, checks, or checkbooks; and any personal property belonging to a person other than the vehicle owner if that person provides adequate proof that the personal property belongs to that person. The spouse, child, mother, father, brother, or sister of the vehicle owner may claim personal property excepted under this paragraph (4) if the person claiming the personal property provides the commercial vehicle relocater or towing service with the authorization of the vehicle owner.

(5) This paragraph (5) applies only in the case of a vehicle that is towed as a result of being involved in an accident. In addition to the personal property excepted under paragraph (4), all other personal property in a vehicle subject to a lien under this subsection (g) is exempt from that lien and may be claimed by the vehicle owner if the vehicle owner provides the commercial vehicle relocater or towing service with proof that the vehicle owner has an insurance policy covering towing and storage fees. The spouse, child, mother, father, brother, or sister of the vehicle owner may claim personal property in a vehicle subject to a lien under this subsection (g) if the person claiming the personal property provides the commercial vehicle relocater or towing service with the authorization of the vehicle owner and proof that the

vehicle owner has an insurance policy covering towing and storage fees. The regulation of liens on personal property and exceptions to those liens in the case of vehicles towed as a result of being involved in an accident are exclusive powers and functions of the State. A home rule unit may not regulate liens on personal property and exceptions to those liens in the case of vehicles towed as a result of being involved in an accident. This paragraph (5) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(6) No lien under this subsection (g) shall: exceed \$2,000 in its total amount; or be increased or altered to reflect any charge for services or materials rendered in addition to those authorized by this Act.

(h) Whenever a peace officer issues a citation to a driver for a violation of subsection (a) of Section 11-506 of this Code, the arresting officer may have the vehicle which the person was operating at the time of the arrest impounded for a period of 5 days after the time of arrest. An impounding agency shall release a motor vehicle impounded under this subsection (h) to the registered owner of the vehicle under any of the following circumstances:

(1) If the vehicle is a stolen vehicle; or

(2) If the person ticketed for a violation of subsection (a) of Section 11-506 of this Code was not authorized by the registered owner of the vehicle to

operate the vehicle at the time of the violation; or

(3) If the registered owner of the vehicle was neither the driver nor a passenger in the vehicle at the time of the violation or was unaware that the driver was using the vehicle to engage in street racing; or

(4) If the legal owner or registered owner of the vehicle is a rental car agency; or

(5) If, prior to the expiration of the impoundment period specified above, the citation is dismissed or the defendant is found not guilty of the offense.

(i) Except for vehicles exempted under subsection (b) of Section 7-601 of this Code, whenever a law enforcement officer issues a citation to a driver for a violation of Section 3-707 of this Code, and the driver has a prior conviction for a violation of Section 3-707 of this Code in the past 12 months, the arresting officer shall authorize the removal and impoundment of the vehicle by a towing service.

(Source: P.A. 96-1274, eff. 7-26-10; 96-1506, eff. 1-27-11; 97-779, eff. 7-13-12.)

(625 ILCS 5/4-203.5 new)

Sec. 4-203.5. Tow rotation list.

(a) Each law enforcement agency whose duties include the patrol of highways in this State shall maintain a tow rotation list which shall be used by law enforcement officers authorizing the tow of a vehicle within the jurisdiction of the

law enforcement agency. To ensure adequate response time, a law enforcement agency may maintain multiple tow rotation lists, with each tow rotation list covering tows authorized in different geographic locations within the jurisdiction of the law enforcement agency. A towing service may be included on more than one tow rotation list.

(b) Any towing service operating within the jurisdiction of a law enforcement agency may submit an application in a form and manner prescribed by the law enforcement agency for inclusion on the law enforcement agency's tow rotation list. The towing service does not need to be located within the jurisdiction of the law enforcement agency. To be included on a tow rotation list the towing service must meet the following requirements:

(1) possess a license permitting the towing service to operate in every unit of local government in the law enforcement agency's jurisdiction that requires a license for the operation of a towing service;

(2) if required by the law enforcement agency for inclusion on that law enforcement agency's tow rotation list, each owner of the towing service and each person operating a vehicle on behalf of the towing service shall submit his or her fingerprints to the Department of State Police in the form and manner prescribed by the Department of State Police. These fingerprints should be transmitted through a live scan fingerprint vendor licensed by the

Department of Financial and Professional Regulation. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases. The Department of State Police shall charge a fee for conducting the criminal history record check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the State and national criminal history record check. The Department of State Police shall furnish, pursuant to positive identification, all Illinois conviction information to the law enforcement agency maintaining the tow rotation list and shall forward the national criminal history record information to the law enforcement agency maintaining the tow rotation list. A person may not own a towing service or operate a vehicle on behalf of a towing service included on a tow rotation list if that person has been convicted during the 5 years preceding the application of a criminal offense involving one or more of the following:

(A) bodily injury or attempt to inflict bodily injury to another person;

(B) theft of property or attempted theft of property; or

(C) sexual assault or attempted sexual assault of any kind;

(3) each person operating a vehicle on behalf of the towing service must be classified for the type of towing operation he or she shall be performing and the vehicle he or she shall be operating;

(4) possess and maintain the following insurance in addition to any other insurance required by law:

(A) comprehensive automobile liability insurance with a minimum combined single limit coverage of \$1,000,000;

(B) commercial general liability insurance with limits of not less than \$1,000,000 per occurrence, \$100,000 minimum garage keepers legal liability insurance, and \$100,000 minimum on-hook coverage or cargo insurance; and

(C) a worker's compensation policy covering every person operating a tow truck on behalf of the towing service, if required under current law;

(5) possess a secure parking lot used for short-term vehicle storage after a vehicle is towed that is open during business hours and is equipped with security features as required by the law enforcement agency;

(6) utilize only vehicles that possess a valid vehicle registration, display a valid Illinois license plate in accordance with Section 5-202 of this Code, and comply with the weight requirements of this Code;

(7) every person operating a towing or recovery vehicle

on behalf of the towing service must have completed a Traffic Incident Management Training Program approved by the Department of Transportation;

(8) hold a valid authority issued to it by the Illinois Commerce Commission;

(9) comply with all other applicable federal, State, and local laws; and

(10) comply with any additional requirements the applicable law enforcement agency deems necessary.

The law enforcement agency may select which towing services meeting the requirements of this subsection (b) shall be included on a tow rotation list. The law enforcement agency may choose to have only one towing service on its tow rotation list. Complaints regarding the process for inclusion on a tow rotation list or the use of a tow rotation list may be referred in writing to the head of the law enforcement agency administering that tow rotation list. The head of the law enforcement agency shall make the final determination as to which qualified towing services shall be included on a tow rotation list, and shall not be held liable for the exclusion of any towing service from a tow rotation list.

(c) Whenever a law enforcement officer initiates a tow of a vehicle, the officer shall contact his or her law enforcement agency and inform the agency that a tow has been authorized. The law enforcement agency shall then select a towing service from the law enforcement agency's tow rotation list

corresponding to the geographical area where the tow was authorized, and shall contact that towing service directly by phone, computer, or similar means. Towing services shall be contacted in the order listed on the appropriate tow rotation list, at which point the towing service shall be placed at the end of that tow rotation list. In the event a listed towing service is not available, the next listed towing service on that tow rotation list shall be contacted.

(d) A law enforcement agency may deviate from the order listed on a tow rotation list if the towing service next on that tow rotation list is, in the judgment of the authorizing officer or the law enforcement agency making the selection, incapable of or not properly equipped for handling a specific task related to the tow that requires special skills or equipment. A deviation from the order listed on the tow rotation list for this reason shall not cause a loss of rotation turn by the towing service determined to be incapable or not properly equipped for handling the request.

(e) In the event of an emergency a law enforcement officer or agency, taking into account the safety and location of the situation, may deviate from the order of the tow rotation list and obtain towing service from any source deemed appropriate.

(f) If the owner or operator of a disabled vehicle is present at the scene of the disabled vehicle, is not under arrest, and does not abandon his or her vehicle, and in the law enforcement officer's opinion the disabled vehicle is not

impeding or obstructing traffic, illegally parked, or posing a security or safety risk, the law enforcement officer shall allow the owner of the vehicle to specify a towing service to relocate the disabled vehicle. If the owner chooses not to specify a towing service, the law enforcement agency shall select a towing service for the vehicle as provided in subsection (c) of this Section.

(g) If a tow operator is present or arrives where a tow is needed and it has not been requested by the law enforcement agency or the owner or operator, the law enforcement officer, unless acting under Section 11-1431 of this Code, shall advise the tow operator to leave the scene.

(h) Nothing contained in this Section shall apply to a law enforcement agency having jurisdiction solely over a municipality with a population over 1,000,000.

(625 ILCS 5/6-118)

(Text of Section before amendment by P.A. 98-176)

Sec. 6-118. Fees.

(a) The fee for licenses and permits under this Article is as follows:

Original driver's license	\$30
Original or renewal driver's license	
issued to 18, 19 and 20 year olds	5
All driver's licenses for persons	
age 69 through age 80	5

All driver's licenses for persons age 81 through age 86	2
All driver's licenses for persons age 87 or older	0
Renewal driver's license (except for applicants ages 18, 19 and 20 or age 69 and older)	30
Original instruction permit issued to persons (except those age 69 and older) who do not hold or have not previously held an Illinois instruction permit or driver's license	20
Instruction permit issued to any person holding an Illinois driver's license who wishes a change in classifications, other than at the time of renewal	5
Any instruction permit issued to a person age 69 and older	5
Instruction permit issued to any person, under age 69, not currently holding a valid Illinois driver's license or instruction permit but who has previously been issued either document in Illinois	10
Restricted driving permit	8
Monitoring device driving permit	8

Duplicate or corrected driver's license
or permit 5

Duplicate or corrected restricted
driving permit 5

Duplicate or corrected monitoring
device driving permit 5

Duplicate driver's license or permit issued to
an active-duty member of the
United States Armed Forces,
the member's spouse, or
the dependent children living
with the member 0

Original or renewal M or L endorsement..... 5

SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

The fees for commercial driver licenses and permits under Article V shall be as follows:

Commercial driver's license:

- \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund
(Commercial Driver's License Information
System/American Association of Motor Vehicle
Administrators network/National Motor Vehicle
Title Information Service Trust Fund);
- \$20 for the Motor Carrier Safety Inspection Fund;
- \$10 for the driver's license;
- and \$24 for the CDL: \$60

Renewal commercial driver's license:

\$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
 \$20 for the Motor Carrier Safety Inspection Fund;
 \$10 for the driver's license; and
 \$24 for the CDL: \$60

Commercial driver instruction permit
 issued to any person holding a valid
 Illinois driver's license for the
 purpose of changing to a
 CDL classification: \$6 for the
 CDLIS/AAMVAnet/NMVTIS Trust Fund;
 \$20 for the Motor Carrier
 Safety Inspection Fund; and
 \$24 for the CDL classification \$50

Commercial driver instruction permit
 issued to any person holding a valid
 Illinois CDL for the purpose of
 making a change in a classification,
 endorsement or restriction \$5
 CDL duplicate or corrected license \$5

In order to ensure the proper implementation of the Uniform
 Commercial Driver License Act, Article V of this Chapter, the
 Secretary of State is empowered to pro-rate the \$24 fee for the
 commercial driver's license proportionate to the expiration
 date of the applicant's Illinois driver's license.

The fee for any duplicate license or permit shall be waived
 for any person who presents the Secretary of State's office

with a police report showing that his license or permit was stolen.

The fee for any duplicate license or permit shall be waived for any person age 60 or older whose driver's license or permit has been lost or stolen.

No additional fee shall be charged for a driver's license, or for a commercial driver's license, when issued to the holder of an instruction permit for the same classification or type of license who becomes eligible for such license.

(b) Any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked under Section 3-707, any provision of Chapter 6, Chapter 11, or Section 7-205, 7-303, or 7-702 of the Family Financial Responsibility Law of this Code, shall in addition to any other fees required by this Code, pay a reinstatement fee as follows:

Suspension under Section 3-707	\$100
Summary suspension under Section 11-501.1	\$250
Suspension under Section 11-501.9	\$250
Summary revocation under Section 11-501.1	\$500
Other suspension	\$70
Revocation	\$500

However, any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section

9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and each suspension or revocation was for a violation of Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall pay, in addition to any other fees required by this Code, a reinstatement fee as follows:

Summary suspension under Section 11-501.1	\$500
Suspension under Section 11-501.9	\$500
Summary revocation under Section 11-501.1	\$500
Revocation	\$500

(c) All fees collected under the provisions of this Chapter 6 shall be paid into the Road Fund in the State Treasury except as follows:

1. The following amounts shall be paid into the Driver Education Fund:

(A) \$16 of the \$20 fee for an original driver's instruction permit;

(B) \$5 of the \$30 fee for an original driver's license;

(C) \$5 of the \$30 fee for a 4 year renewal driver's license;

(D) \$4 of the \$8 fee for a restricted driving permit; and

(E) \$4 of the \$8 fee for a monitoring device driving permit.

2. \$30 of the \$250 fee for reinstatement of a license summarily suspended under Section 11-501.1 or suspended under Section 11-501.9 shall be deposited into the Drunk and Drugged Driving Prevention Fund. However, for a person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501, 11-501.1, or 11-501.9 of this Code or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, \$190 of the \$500 fee for reinstatement of a license summarily suspended under Section 11-501.1 or suspended under Section 11-501.9, and \$190 of the \$500 fee for reinstatement of a revoked license shall be deposited into the Drunk and Drugged Driving Prevention Fund. \$190 of the \$500 fee for reinstatement of a license summarily revoked pursuant to Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund.

3. \$6 of such original or renewal fee for a commercial driver's license and \$6 of the commercial driver instruction permit fee when such permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVAnet/NMVTIS Trust Fund.

4. \$30 of the \$70 fee for reinstatement of a license suspended under the Family Financial Responsibility Law shall be paid into the Family Responsibility Fund.

5. The \$5 fee for each original or renewal M or L

endorsement shall be deposited into the Cycle Rider Safety Training Fund.

6. \$20 of any original or renewal fee for a commercial driver's license or commercial driver instruction permit shall be paid into the Motor Carrier Safety Inspection Fund.

7. The following amounts shall be paid into the General Revenue Fund:

(A) \$190 of the \$250 reinstatement fee for a summary suspension under Section 11-501.1 or a suspension under Section 11-501.9;

(B) \$40 of the \$70 reinstatement fee for any other suspension provided in subsection (b) of this Section; and

(C) \$440 of the \$500 reinstatement fee for a first offense revocation and \$310 of the \$500 reinstatement fee for a second or subsequent revocation.

(d) All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(e) The additional fees imposed by this amendatory Act of the 96th General Assembly shall become effective 90 days after becoming law.

(f) As used in this Section, "active-duty member of the United States Armed Forces" means a member of the Armed Services or Reserve Forces of the United States or a member of

the Illinois National Guard who is called to active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.

(Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13; 98-177, eff. 1-1-14; 98-756, eff. 7-16-14.)

(Text of Section after amendment by P.A. 98-176)

Sec. 6-118. Fees.

(a) The fee for licenses and permits under this Article is as follows:

Original driver's license	\$30
Original or renewal driver's license	
issued to 18, 19 and 20 year olds	5
All driver's licenses for persons	
age 69 through age 80	5
All driver's licenses for persons	
age 81 through age 86	2
All driver's licenses for persons	
age 87 or older	0
Renewal driver's license (except for	
applicants ages 18, 19 and 20 or	
age 69 and older)	30
Original instruction permit issued to	
persons (except those age 69 and older)	
who do not hold or have not previously	

held an Illinois instruction permit or driver's license	20
Instruction permit issued to any person holding an Illinois driver's license who wishes a change in classifications, other than at the time of renewal	5
Any instruction permit issued to a person age 69 and older	5
Instruction permit issued to any person, under age 69, not currently holding a valid Illinois driver's license or instruction permit but who has previously been issued either document in Illinois	10
Restricted driving permit	8
Monitoring device driving permit	8
Duplicate or corrected driver's license or permit	5
Duplicate or corrected restricted driving permit	5
Duplicate or corrected monitoring device driving permit	5
Duplicate driver's license or permit issued to an active-duty member of the United States Armed Forces, the member's spouse, or	

the dependent children living
 with the member 0
 Original or renewal M or L endorsement..... 5

SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

The fees for commercial driver licenses and permits under Article V shall be as follows:

Commercial driver's license:

\$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund
 (Commercial Driver's License Information
 System/American Association of Motor Vehicle
 Administrators network/National Motor Vehicle
 Title Information Service Trust Fund);
 \$20 for the Motor Carrier Safety Inspection Fund;
 \$10 for the driver's license;
 and \$24 for the CDL: \$60

Renewal commercial driver's license:

\$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
 \$20 for the Motor Carrier Safety Inspection Fund;
 \$10 for the driver's license; and
 \$24 for the CDL: \$60

Commercial learner's permit

issued to any person holding a valid
 Illinois driver's license for the
 purpose of changing to a
 CDL classification: \$6 for the
 CDLIS/AAMVAnet/NMVTIS Trust Fund;

\$20 for the Motor Carrier Safety Inspection Fund; and \$24 for the CDL classification	\$50
Commercial learner's permit issued to any person holding a valid Illinois CDL for the purpose of making a change in a classification, endorsement or restriction	\$5
CDL duplicate or corrected license	\$5

In order to ensure the proper implementation of the Uniform Commercial Driver License Act, Article V of this Chapter, the Secretary of State is empowered to pro-rate the \$24 fee for the commercial driver's license proportionate to the expiration date of the applicant's Illinois driver's license.

The fee for any duplicate license or permit shall be waived for any person who presents the Secretary of State's office with a police report showing that his license or permit was stolen.

The fee for any duplicate license or permit shall be waived for any person age 60 or older whose driver's license or permit has been lost or stolen.

No additional fee shall be charged for a driver's license, or for a commercial driver's license, when issued to the holder of an instruction permit for the same classification or type of license who becomes eligible for such license.

(b) Any person whose license or privilege to operate a

motor vehicle in this State has been suspended or revoked under Section 3-707, any provision of Chapter 6, Chapter 11, or Section 7-205, 7-303, or 7-702 of the Family Financial Responsibility Law of this Code, shall in addition to any other fees required by this Code, pay a reinstatement fee as follows:

Suspension under Section 3-707	\$100
<u>Suspension under Section 11-1431</u>	<u>\$100</u>
Summary suspension under Section 11-501.1	\$250
Suspension under Section 11-501.9	\$250
Summary revocation under Section 11-501.1	\$500
Other suspension	\$70
Revocation	\$500

However, any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and each suspension or revocation was for a violation of Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall pay, in addition to any other fees required by this Code, a reinstatement fee as follows:

Summary suspension under Section 11-501.1	\$500
Suspension under Section 11-501.9	\$500

Summary revocation under Section 11-501.1 \$500

Revocation \$500

(c) All fees collected under the provisions of this Chapter 6 shall be paid into the Road Fund in the State Treasury except as follows:

1. The following amounts shall be paid into the Driver Education Fund:

(A) \$16 of the \$20 fee for an original driver's instruction permit;

(B) \$5 of the \$30 fee for an original driver's license;

(C) \$5 of the \$30 fee for a 4 year renewal driver's license;

(D) \$4 of the \$8 fee for a restricted driving permit; and

(E) \$4 of the \$8 fee for a monitoring device driving permit.

2. \$30 of the \$250 fee for reinstatement of a license summarily suspended under Section 11-501.1 or suspended under Section 11-501.9 shall be deposited into the Drunk and Drugged Driving Prevention Fund. However, for a person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501, 11-501.1, or 11-501.9 of this Code or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, \$190 of

the \$500 fee for reinstatement of a license summarily suspended under Section 11-501.1 or suspended under Section 11-501.9, and \$190 of the \$500 fee for reinstatement of a revoked license shall be deposited into the Drunk and Drugged Driving Prevention Fund. \$190 of the \$500 fee for reinstatement of a license summarily revoked pursuant to Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund.

3. \$6 of the original or renewal fee for a commercial driver's license and \$6 of the commercial learner's permit fee when the permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVAnet/NMVTIS Trust Fund.

4. \$30 of the \$70 fee for reinstatement of a license suspended under the Family Financial Responsibility Law shall be paid into the Family Responsibility Fund.

5. The \$5 fee for each original or renewal M or L endorsement shall be deposited into the Cycle Rider Safety Training Fund.

6. \$20 of any original or renewal fee for a commercial driver's license or commercial learner's permit shall be paid into the Motor Carrier Safety Inspection Fund.

7. The following amounts shall be paid into the General Revenue Fund:

(A) \$190 of the \$250 reinstatement fee for a summary suspension under Section 11-501.1 or a

suspension under Section 11-501.9;

(B) \$40 of the \$70 reinstatement fee for any other suspension provided in subsection (b) of this Section; and

(C) \$440 of the \$500 reinstatement fee for a first offense revocation and \$310 of the \$500 reinstatement fee for a second or subsequent revocation.

(d) All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(e) The additional fees imposed by this amendatory Act of the 96th General Assembly shall become effective 90 days after becoming law.

(f) As used in this Section, "active-duty member of the United States Armed Forces" means a member of the Armed Services or Reserve Forces of the United States or a member of the Illinois National Guard who is called to active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.

(Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13; 98-176, eff. 7-8-15 (see Section 10 of P.A. 98-722 for the effective date of changes made by P.A. 98-176); 98-177, eff. 1-1-14; 98-756, eff. 7-16-14; 98-1172, eff. 1-12-15.)

Sec. 11-1431. Solicitations at accident or disablement scene prohibited.

(a) A tower, as defined by Section 1-205.2 of this Code, or an employee or agent of a tower may not: (i) stop at the scene of a motor vehicle accident or at or near a damaged or disabled vehicle for the purpose of soliciting the owner or operator of the damaged or disabled vehicle to enter into a towing service transaction; or (ii) stop at the scene of an accident or at or near a damaged or disabled vehicle unless called to the location by a law enforcement officer, the Illinois Department of Transportation, the Illinois State Toll Highway Authority, a local agency having jurisdiction over the highway, or the owner or operator of the damaged or disabled vehicle. This Section shall not apply to employees of the Department, the Illinois State Toll Highway Authority, or local agencies when engaged in their official duties. Nothing in this Section shall prevent a tower from stopping at the scene of a motor vehicle accident or at or near a damaged or disabled vehicle if the owner or operator signals the tower for assistance from the location of the motor vehicle accident or damaged or disabled vehicle.

(b) A person who violates this Section is guilty of a business offense and shall be required to pay a fine of more than \$500, but not more than \$1,000. A person convicted of violating this Section shall also have his or her driver's license, permit, or privileges suspended for 3 months. After the expiration of the 3 month suspension, the person's driver's

license, permit, or privileges shall not be reinstated until he or she has paid a reinstatement fee of \$100. If a person violates this Section while his or her driver's license, permit, or privileges are suspended under this subsection (b), his or her driver's license, permit, or privileges shall be suspended for an additional 6 months, and shall not be reinstated after the expiration of the 6 month suspension until he or she pays a reinstatement fee of \$100.

(Source: P.A. 96-1376, eff. 7-29-10.)

(625 ILCS 5/18a-300) (from Ch. 95 1/2, par. 18a-300)

Sec. 18a-300. Commercial vehicle relocators - Unlawful practices. It shall be unlawful for any commercial vehicle relocater:

(1) To operate in any county in which this Chapter is applicable without a valid, current relocater's license as provided in Article IV of this Chapter;

(2) To employ as an operator, or otherwise so use the services of, any person who does not have at the commencement of employment or service, or at any time during the course of employment or service, a valid, current operator's employment permit, or temporary operator's employment permit issued in accordance with Sections 18a-403 or 18a-405 of this Chapter; or to fail to notify the Commission, in writing, of any known criminal conviction of any employee occurring at any time before or

during the course of employment or service;

(3) To employ as a dispatcher, or otherwise so use the services of, any person who does not have at the commencement of employment or service, or at any time during the course of employment or service, a valid, current dispatcher's or operator's employment permit or temporary dispatcher's or operator's employment permit issued in accordance with Sections 18a-403 or 18a-407 of this Chapter; or to fail to notify the Commission, in writing, of any known criminal conviction of any employee occurring at any time before or during the course of employment or service;

(4) To operate upon the highways of this State any vehicle used in connection with any commercial vehicle relocation service unless:

(A) There is painted or firmly affixed to the vehicle on both sides of the vehicle in a color or colors vividly contrasting to the color of the vehicle the name, address and telephone number of the relocater. The Commission shall prescribe reasonable rules and regulations pertaining to insignia to be painted or firmly affixed to vehicles and shall waive the requirements of the address on any vehicle in cases where the operator of a vehicle has painted or otherwise firmly affixed to the vehicle a seal or trade mark that clearly identifies the operator of the

vehicle; and

(B) There is carried in the power unit of the vehicle a certified copy of the currently effective relocater's license and operator's employment permit. Copies may be photographed, photocopied, or reproduced or printed by any other legible and durable process. Any person guilty of not causing to be displayed a copy of his relocater's license and operator's employment permit may in any hearing concerning the violation be excused from the payment of the penalty hereinafter provided upon a showing that the license was issued by the Commission, but was subsequently lost or destroyed;

(5) To operate upon the highways of this State any vehicle used in connection with any commercial vehicle relocation service that bears the name or address and telephone number of any person or entity other than the relocater by which it is owned or to which it is leased;

(6) To advertise in any newspaper, book, list, classified directory or other publication unless there is contained in the advertisement the license number of the relocater;

(7) To remove any vehicle from private property without having first obtained the written authorization of the property owner or other person in lawful possession or control of the property, his authorized agent, or an

authorized law enforcement officer. The authorization may be on a contractual basis covering a period of time or limited to a specific removal;

(8) To charge the private property owner, who requested that an unauthorized vehicle be removed from his property, with the costs of removing the vehicle contrary to any terms that may be a part of the contract between the property owner and the commercial relocater. Nothing in this paragraph shall prevent a relocater from assessing, collecting, or receiving from the property owner, lessee, or their agents any fee prescribed by the Commission;

(9) To remove a vehicle when the owner or operator of the vehicle is present or arrives at the vehicle location at any time prior to the completion of removal, and is willing and able to remove the vehicle immediately, except for vehicles that require a commercial driver's license to operate. Vehicles that require a commercial driver's license to operate shall be disconnected from the tow truck and the owner or operator shall be allowed to remove the vehicle without interference upon the payment of a reasonable service fee of not more than one-half of the posted rate of the towing service per tow vehicle on the scene and up to a maximum of 2 tow vehicles as provided in paragraph 6 of subsection (f) of Section 4-203 of this Code, for which a receipt shall be given;

(10) To remove any vehicle from property on which signs

are required and on which there are not posted appropriate signs under Section 18a-302;

(11) To fail to notify law enforcement authorities in the jurisdiction in which the trespassing vehicle was removed within one hour of the removal. Notification shall include a complete description of the vehicle, registration numbers if possible, the locations from which and to which the vehicle was removed, the time of removal, and any other information required by regulation, statute or ordinance;

(12) To impose any charge other than in accordance with the rates set by the Commission as provided in paragraph (6) of Section 18a-200 of this Chapter;

(13) To fail, in the office or location at which relocated vehicles are routinely returned to their owners, to prominently post the name, address and telephone number of the nearest office of the Commission to which inquiries or complaints may be sent;

(13.1) To fail to distribute to each owner or operator of a relocated vehicle, in written form as prescribed by Commission rule or regulation, the relevant statutes, regulations and ordinances governing commercial vehicle relocators, including, in at least 12 point boldface type, the name, address and telephone number of the nearest office of the Commission to which inquiries or complaints may be sent;

(13.2) To fail, in the office or location at which relocated vehicles are routinely returned to their owners, to ensure that the relocater's representative provides suitable evidence of his or her identity to the owners of relocated vehicles upon request;

(14) To remove any vehicle, otherwise in accordance with this Chapter, more than 15 air miles from its location when towed from a location in an unincorporated area of a county or more than 10 air miles from its location when towed from any other location;

(15) To fail to make a telephone number available to the police department of any municipality in which a relocater operates at which the relocater or an employee of the relocater may be contacted at any time during the hours in which the relocater is engaged in the towing of vehicles, or advertised as engaged in the towing of vehicles, for the purpose of effectuating the release of a towed vehicle; or to fail to include the telephone number in any advertisement of the relocater's services published or otherwise appearing on or after the effective date of this amendatory Act; or to fail to have an employee available at any time on the premises owned or controlled by the relocater for the purposes of arranging for the immediate release of the vehicle.

Apart from any other penalty or liability authorized under this Act, if after a reasonable effort, the owner of

the vehicle is unable to make telephone contact with the relocater for a period of one hour from his initial attempt during any time period in which the relocater is required to respond at the number, all fees for towing, storage, or otherwise are to be waived. Proof of 3 attempted phone calls to the number provided to the police department by an officer or employee of the department on behalf of the vehicle owner within the space of one hour, at least 2 of which are separated by 45 minutes, shall be deemed sufficient proof of the owner's reasonable effort to make contact with the vehicle relocater. Failure of the relocater to respond to the phone calls is not a criminal violation of this Chapter;

(16) To use equipment which the relocater does not own, except in compliance with Section 18a-306 of this Chapter and Commission regulations. No equipment can be leased to more than one relocater at any time. Equipment leases shall be filed with the Commission. If equipment is leased to one relocater, it cannot thereafter be leased to another relocater until a written cancellation of lease is properly filed with the Commission;

(17) To use drivers or other personnel who are not employees or contractors of the relocater;

(18) To fail to refund any amount charged in excess of the reasonable rate established by the Commission;

(19) To violate any other provision of this Chapter, or

of Commission regulations or orders adopted under this Chapter; ~~-~~

(20) To engage in the removal of a commercial motor vehicle that requires a commercial driver's license to operate by operating the vehicle under its own power on a highway without authorization by a law enforcement officer.

(Source: P.A. 94-650, eff. 1-1-06.)

(625 ILCS 5/18d-153)

Sec. 18d-153. Misrepresentation of affiliation. It shall be unlawful for any tower to misrepresent an affiliation with the State, a unit of local government, an insurance company, a private club, or any other entity, or falsely claim to be included on a law enforcement agency's tow rotation list maintained under Section 4-203.5 of this Code, for the purpose of securing a business transaction with a vehicle owner or operator.

(Source: P.A. 96-1369, eff. 1-1-11.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other

Public Act 099-0438

SB1441 Enrolled

LRB099 07079 RJF 27163 b

Public Act.