

HB3758



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB3758

Introduced 2/25/2005, by Rep. Susana A Mendoza

SYNOPSIS AS INTRODUCED:

625 ILCS 5/7-205

from Ch. 95 1/2, par. 7-205

Amends the Illinois Vehicle Code. Makes a technical change in a provision concerning security after an accident.

LRB094 11539 DRH 42512 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 7-205 as follows:

6 (625 ILCS 5/7-205) (from Ch. 95 1/2, par. 7-205)

7 Sec. 7-205. Failure to deposit security - hearings ~~Hearings~~
8 and suspensions. The Secretary of State, within 15 days after
9 receipt of the determination of the Administrator that a
10 deposit of security is required under this Code, shall review
11 all reports, documents and other pertinent evidence in his
12 possession, and make a preliminary finding as to whether or not
13 there is a reasonable possibility of a civil judgment being
14 entered in a court of proper jurisdiction against the person so
15 certified by the Administrator under this Code.

16 (a) Upon a preliminary finding that there is such a
17 reasonable possibility, the Secretary of State shall notify
18 such person by mail that his driving privileges, driver's
19 license or registration will be suspended 45 days after the
20 date of the mailing of the notice unless the person can prove
21 to the satisfaction of the Secretary of State that he has
22 deposited or has had deposited and filed on his behalf the
23 security required under this Code or, within 15 days of the
24 mailing of such notice, requests a formal hearing to determine
25 whether his driving privileges, driver's license or
26 registration should be suspended or whether the Secretary
27 should enter an order of exoneration, and that such hearing
28 shall be scheduled within 45 days after the mailing of such
29 notice in accordance with the rules and regulations of the
30 Secretary of State.

31 (b) Upon a preliminary finding that there is not such a
32 reasonable possibility, the Secretary of State may elect to

1 take no further action.

2 (c) In the event an order of suspension so entered applies
3 to a nonresident owner or driver, then the privilege of driving
4 or using a motor vehicle within the territorial limits of this
5 State shall be so suspended.

6 (Source: P.A. 84-797.)