

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1010
CERTIFICATES OF TITLE, REGISTRATION OF VEHICLES

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124

125 1010.APPENDIX A Uniform Vehicle Registration Proration and Reciprocity Agreement

126 1010.APPENDIX B International Registration Plan

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129

130 AUTHORITY: Authorized by Section 2-104(b), and implementing Chapters 3 and 5, of the
 131 Illinois Vehicle Code [625 ILCS 5] and Section 1.44 of the Statute on Statutes [5 ILCS 70].
 132

133 SOURCE: Filed and effective December 15, 1970; emergency amendment at 2 Ill. Reg. 25, p.
 134 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76,
 135 effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at
 136 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendment at 4 Ill. Reg. 21, p. 99,
 137 effective May 14, 1980, for a maximum of 150 days; amended at 6 Ill. Reg. 2241, effective
 138 February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg.
 139 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 7 Ill. Reg. 1436,
 140 effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9
 141 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985;
 142 amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective
 143 September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill.
 144 Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19,
 145 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15,
 146 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg.
 147 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended
 148 at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill. Reg. 15102, effective September
 149 15, 1989; amended at 14 Ill. Reg. 4560, effective March 1, 1990; amended at 14 Ill. Reg. 6848,
 150 effective April 18, 1990; amended at 14 Ill. Reg. 9492, effective June 1, 1990; amended at 14 Ill.
 151 Reg. 19066, effective November 15, 1990; amended at 15 Ill. Reg. 12782, effective August 15,
 152 1991; amended at 16 Ill. Reg. 12587, effective August 1, 1992; amended at 19 Ill. Reg. 11947,
 153 effective August 1, 1995; amended at 19 Ill. Reg. 16289, effective November 27, 1995; amended
 154 at 20 Ill. Reg. 11349, effective August 1, 1996; amended at 21 Ill. Reg. 8408, effective June 23,
 155 1997; amended at 21 Ill. Reg. 13372, effective September 17, 1997; amended at 22 Ill. Reg.
 156 8521, effective April 28, 1998; amended at 22 Ill. Reg. 22059, effective January 1, 1999;
 157 amended at 25 Ill. Reg. 7731, effective June 6, 2001; emergency amendment at 25 Ill. Reg.
 158 14201, effective October 22, 2001, for a maximum of 150 days; emergency expired March 20,
 159 2002; amended at 26 Ill. Reg. 14282, effective September 16, 2002; amended at 27 Ill. Reg.
 160 4790, effective February 27, 2003; amended at 29 Ill. Reg. 8915, effective June 10, 2005;
 161 amended at 31 Ill. Reg. 2668, effective January 29, 2007; amended at 32 Ill. Reg. 17253,
 162 effective October 15, 2008; amended at 32 Ill. Reg. 17590, effective October 16, 2008; amended
 163 at 34 Ill. Reg. 3673, effective March 5, 2010; amended at 34 Ill. Reg. 10202, effective June 29,
 164 2010; amended at 35 Ill. Reg. 1652, effective January 13, 2011; amended at 35 Ill. Reg. 8240,
 165 effective May 16, 2011; amended at 36 Ill. Reg. 7674, effective May 2, 2012; amended at 36 Ill.
 166 Reg. 14745, effective September 24, 2012; amended at 36 Ill. Reg. 17094, effective November
 167 20, 2012; emergency amendment at 36 Ill. Reg. 17580, effective November 28, 2012, for a
 168 maximum of 150 days; amended at 37 Ill. Reg. 4340, effective March 22, 2013; amended at 37
 169 Ill. Reg. 8941, effective June 14, 2013; amended at 37 Ill. Reg. 12578, effective July 17, 2013;
 170 amended at 39 Ill. Reg. 5106, effective March 20, 2015; amended at 42 Ill. Reg. 212, effective
 171 December 19, 2017; amended at 42 Ill. Reg. 14450, effective July 23, 2018; amended at 43 Ill.
 172 Reg. 3945, effective March 15, 2019; amended at 44 Ill. Reg. 2014, effective December 31,

173 2019; emergency amendment at 44 Ill. Reg. 5831, effective March 17, 2020, for a maximum of
 174 150 days; emergency amendment to emergency rule at 44 Ill. Reg. 6641, effective April 9, 2020,
 175 for the remainder of the 150 days; emergency amendment effective March 17, 2020, as amended
 176 April 9, 2020, repealed at 44 Ill. Reg. 11595, effective June 30, 2020; emergency amendment at
 177 44 Ill. Reg. 11890, effective June 30, 2020, for a maximum of 150 days; amended at 44 Ill. Reg.
 178 16487, effective September 25, 2020; amended at 44 Ill. Reg. 17440, effective October 19, 2020;
 179 emergency amendment at 45 Ill. Reg. 1369, effective January 12, 2021, for a maximum of 150
 180 days; amended at 45 Ill. Reg. 6054, effective April 22, 2021; emergency amendment at 45 Ill.
 181 Reg. 6794, effective May 6, 2021, for a maximum of 150 days; emergency amendment to
 182 emergency rule at 45 Ill. Reg. 6862, effective May 24, 2021 for the remainder of the 150 days;
 183 emergency rule as amended expired October 2, 2021; emergency amendment at 45 Ill. Reg.
 184 11690, effective September 9, 2021, for a maximum of 150 days; emergency rule expired
 185 February 5, 2022; amended at 46 Ill. Reg. 1868, effective January 13, 2022; amended at 46 Ill.
 186 Reg. 2750, effective January 25, 2022; amended at 46 Ill. Reg. 4083, effective February 23,
 187 2022; amended at 46 Ill. Reg. 4938, effective March 7, 2022; amended at 46 Ill. Reg. 16391,
 188 effective September 16, 2022; amended at 47 Ill. Reg. 3374, effective February 23, 2023;
 189 amended at 48 Ill. Reg. _____, effective _____.

190
 191 **SUBPART B: TITLES**

192
 193 **Section 1010.100 Electronic Lien and Title (ELT) Program Provisions**

- 194
 195 a) For purposes of this Part, the following definitions shall apply:
 196
 197 1) "Contractor" means a person who, pursuant to this Section, enters into a
 198 contract with the Secretary of State to establish, implement, and operate
 199 the electronic lien and title system.
 200
 201 2) "Electronic Lien and Title System" or "ELT" means a system to process
 202 the perfection, assignment, notification, and release of security interests
 203 through electronic file transfers that is established and implemented
 204 pursuant to this Section.
 205
 206 3) "ELT Service Provider" means a person or entity who provides lienholders
 207 with software to manage electronic lien and title data.
 208
 209 4) "Lienholder" means a person or entity holding a security interest in a
 210 vehicle that is normally engaged in the business or practice of financing
 211 vehicles.
 212
 213 b) The Secretary of State shall establish a program for an electronic lien and title
 214 system (ELT) that will permit a lienholder to perfect, assign, and release a lien in
 215 lieu of the issuance and maintenance of paper documents otherwise required by

216 law as authorized under Section 3-100.1 of the Illinois Vehicle Code (IVC) [625
217 ILCS 5]. Lienholder participation in the program is voluntary. This program
218 shall not be used to process any lien or title held for a manufactured home.
219

220 c) The Secretary shall enter into one or more contracts to establish, implement, and
221 operate the ELT system authorized under this Section. Any contract entered into
222 pursuant to this Section must not require the Secretary to pay any amount to a
223 contractor unless otherwise provided in this Section. A contract entered into
224 pursuant to this Section must include provisions specifically prohibiting a
225 contractor from using information concerning vehicle titles for marketing or
226 solicitation purposes and must also contain language that requires the protection
227 of proprietary information contained in the ELT system. A contractor shall not
228 serve as both a contractor and an ELT service provider concurrently.
229

230 d) The ELT must allow qualified ELT service providers to participate in the system.
231 A lienholder may participate in the system through any qualified ELT service
232 provider approved by the Secretary for participation in the system.
233

234 e) ELT service providers may be required to collect fees from lienholders and their
235 agents for the implementation and administration of the ELT system. The amount
236 of the fee collected by an ELT service provider and paid to a contractor for the
237 establishment and maintenance of the electronic lien and title system shall not be
238 passed on to the consumer.
239

240 f) The contract entered into between the Secretary and the contractor pursuant to this
241 Section must include an acknowledgement by the contractor that:
242

243 1) the contractor is required to enter into agreements to exchange electronic
244 lien data with all ELT service providers who offer electronic lien and title
245 services to lienholders doing business in the State of Illinois and who meet
246 the technical standards of the contractor and request to enter into such an
247 agreement with the contractor;
248

249 2) the ELT service provider has been approved by the Secretary for
250 participation in the electronic lien and title system pursuant to this Section;
251 and
252

253 3) the ELT service provider elects to use the contractor for access to the
254 electronic lien and title system. An ELT service provider must not be
255 required to provide confidential or proprietary information to any other
256 ELT service provider.
257

- 258 g) The Secretary shall have the right to deny, terminate, suspend, or cancel approved
259 ELT service providers or lienholders if any of the following conditions exist:
260
261 1) Misuse of vehicle, title, or owner information.
262
263 2) Noncompliance with any security requirements specified by the Secretary
264 of State.
265
266 3) Failure to provide requested information or records for the purposes of an
267 audit by the Secretary.
268
269 4) Failure to follow approved procedures for submission of ELT transactions.
270
271 5) Noncompliance with any applicable local, State, and federal laws and
272 regulations including tax laws, regarding the operation of business.
273
274 6) Failure to process transactions in accordance with Secretary of State
275 procedures.
276
277 7) Any activity which degrades or disparages the reputation of the State of
278 Illinois or the Secretary of State or other State agency.
279
280 8) Any other unacceptable conditions or practices as identified by the
281 Secretary to the contractor in writing and which has not been resolved by
282 the contractor.
283
284 h) Any requirement that a lien or other information appear on a certificate of title is
285 satisfied by the inclusion of that information in an electronic file maintained in an
286 ELT system created under this Section. The satisfaction of a lien may be
287 electronically transmitted to the Secretary of State. A certificate of title is not
288 required to be issued until the lien is satisfied or the certificate of title is otherwise
289 required to meet the requirements of any legal proceeding or other provision of
290 law. If a vehicle is subject to an electronic lien, the certificate of title shall be
291 deemed to be physically held by the lienholder for the purposes of State or federal
292 law concerning odometer readings and disclosures.
293
294 i) Any requested update of information in an electronic file maintained in the
295 electronic lien and title system may be made without creating a new title record
296 unless such update involves correcting the named vehicle owner, changing the
297 lienholder, or changing other pertinent information, including changing the
298 vehicle identification number.
299

- 300 j) A lien may be removed from a title record held by the ELT system with the
301 certificate of title being issued without satisfaction of the lien being electronically
302 transmitted to the Secretary of State when the Secretary of State determines that:
303
304 1) the lien is more than 7 years old;
305
306 2) the vehicle is more than 10 years old; and
307
308 3) the lienholder is out of business.
309
310 k) A certified copy of the Secretary's electronic record of a lien is admissible in any
311 civil, criminal, or administrative proceeding in this State as evidence of the
312 existence of the lien. If a certificate of title is maintained electronically in the ELT
313 system, a certified copy of the Secretary's electronic record of the certificate of
314 title is admissible in any civil, criminal, or administrative proceeding in this State
315 as evidence of the existence and contents of the certificate of title.
316
317 l) Any reasonable fees that may be charged by or on behalf of the Secretary of State
318 for performing the services and functions relating to the management and
319 administration of the electronic lien and title system, as authorized under Section
320 3-100.1 of the Illinois Vehicle Code, shall be deposited into the Secretary of State
321 Special Services Fund.
322

323 (Source: Added at 48 Ill. Reg. _____, effective _____)