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1		TITLE 92: TRANSPORTATION	
2		CHAPTER II: SECRETARY OF STATE	
3			
4		PART 1070	
5		ILLINOIS SAFETY RESPONSIBILITY LAW	
6			
7	Section		
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23	AUTHODIT	W. Landana ating and anthonical handle Hillaria Cafeta and Familla Financial	
24		Y: Implementing and authorized by the Illinois Safety and Family Financial	
25 26	Responsibili	ty Law [625 ILCS 5/Ch. 7].	
26 27	SOURCE: 1	Filed and effective December 17, 1971; codified at 6 III, Reg. 12674; repealed at 7	
28	SOURCE: Filed and effective December 17, 1971; codified at 6 Ill. Reg. 12674; repealed at 7 Ill. Reg. 13678, effective October 14, 1983; New Part adopted at 11 Ill. Reg. 20215, effective		
29		0, 1987; amended at 14 Ill. Reg. 6859, effective April 24, 1990; amended at 14 Ill.	
30	Reg. 10107, effective June 12, 1990; amended at 15 Ill. Reg. 15083, effective October 8, 1991;		
31		16 Ill. Reg. 2172, effective January 24, 1992; amended at 17 Ill. Reg. 8517, effective	
32	May 27, 1993; amended at 18 Ill. Reg. 10909, effective June 28, 1994; amended at 20 Ill. Reg.		
33	398, effective December 20, 1995; amended at 20 III. Reg. 7956, effective May 30, 1996;		
34		24 Ill. Reg. 1672, effective January 14, 2000; emergency amendment at 27 Ill. Reg.	
35	14361, effective August 20, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18458,		
36	effective November 24, 2003; emergency amendment at 30 Ill. Reg. 7974, effective April 14,		
37	2006, for a maximum of 150 days; emergency expired September 11, 2006; amended at 30 III.		
38	Reg. 6392, effective April 12, 2007; amended at 32 Ill. Reg. 16507, effective September 25,		
39	2008; amend	led at 32 Ill. Reg. 19163, effective November 25, 2008; amended at 35 Ill. Reg.	
40		ve January 13, 2011; amended at 36 Ill. Reg. 5575, effective March 26, 2012;	
41		37 Ill. Reg. 3319, effective February 28, 2013; amended at 38 Ill. Reg. 6119,	
42	effective Fel	oruary 27, 2014; amended at 38 Ill. Reg. 20054, effective October 1, 2014; amended	

Section 1	070.20 Future Proof
a)	For purposes of this Section, the following definitions shall apply:
	"Certificate of Insurance" – certificate <u>electronically transmitted to filed with</u> the Secretary of State's Office as proof that the person has purchased financial responsibility insurance as outlined in <u>IVC</u> Section 7-315 <u>of the IVC</u> .
	"Department" – Department of Driver Services of the Office of the Secretary of State.
	"Financial Responsibility Insurance" – insurance used to establish proof of financial responsibility as established in <a href="IVC">IVC</a> . Sections 7-315 and 7-316 of the <a href="IVC">IVC</a> .
	"Illinois Insurance Guarantee Fund" – section of the Illinois Department of insurance Insurance which deals with disposition of assets following bankruptcy.
	"Illinois Vehicle Code" or "Vehicle Code" or "IVC" – 625 ILCS 5.
	"Law" – the Illinois Safety and Family Financial Responsibility Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 7].
	"Lien" – claim on property of another as security for payment of a just debt.
	"Motor Vehicle Liability Policy" – "owner's policy" or an "operator's policy" of liability insurance that is certified pursuant to <a href="FVC">FVC</a> . Section 7-315 or 7-316 of the <a href="FVC">IVC</a> , comports with <a href="FVC">FVC</a> . Section 1-164.5 of the <a href="FVC">IVC</a> , and complies with the requirements of <a href="FVC">IVC</a> . Section 7-317(b), (c), (d) and (f) of the <a href="FVC">IVC</a> .
	"Proof of Financial Responsibility for the Future" – ability to respond in damages for any liability resulting from the ownership, maintenance, use or operation of a motor vehicle as provided in <a <a="" bond"="" estate="" filed="" href="#" proof="" pursuant="" real="" to="" –="">IVC</a> -Section 7-320 of the IVC.  "Secretary of State" – Secretary of State of Illinois.
	"Stock" – proportionate share in ownership of corporation held by individual and that is usually represented by a stock certificate.

"Surety" – a person who <u>is self-designated as makes himself/herself</u> liable for another's debts or defaults of obligations.

b) When a person purchases insurance to <u>satisfyfile</u> proof of financial responsibility for the future, the insurance company <u>shall electronically transmitwill file</u> a certificate of insurance with the Department. The certificate filed shall <u>containbe</u> either the AAMVA (American Association of Motor Vehicle Administrators) Uniform Financial Responsibility form, containing the insured's name and address, <u>driver's</u> license number, <u>and</u> birthdate,; current policy number, <u>and</u> effective date of the insurance policy, and the name of the insurance company with the signature of its authorized representative, or other certificate of insurance proof conforming to the requirements of IVC Section 7-315 or 7-316, which is endorsed and certifies policy limits as specified in IVC Section 1-164.5. If the policy is an owner's, rather than operator's policy, it must include the model year, trade name, and identification number of the vehicle. The owner's policy must also conform with the amounts specified in IVC. Section 1-164.5 of the IVC.

If a person purchases a certificate of insurance to satisfy thehis/her requirement asto file future proof of financial responsibility and the insurance company fails, and is no longer in business, and ceases operations by order of a court, and the Department is notified by the Illinois Insurance Guarantee Fund of the non-operation of the insurance company, the person shall have 30 days after notification by the Department to provide file a new certificate of insurance or satisfy the his/her future proof requirement by cash or one of the other alternate methods provided in IVC-Section 7-314 of the IVC. If a suspension has been entered even though the person has provided filed future proof of financial responsibility within the 30-day 30 day time period, the suspension shall be removed.

d) If a person required to furnish proof of financial responsibility for the future chooses to file a bond pursuant to <a href="IVC-Section 7-320">IVC-Section 7-320</a> of the <a href="IVC">IVC</a>, and the bond is executed by the person giving the proof and two individual sureties, the following conditions must be met:

1) Each surety must own real estate within the State of Illinois;

2) Each surety must have equity in that real estate in the amount of the bond;

The bond must be endorsed by the clerk of the court and approved by a judge as provided in <a href="IVC-Section 7-320">IVC-Section 7-320</a> of the IVC.

e) If any evidence of proof of financial responsibility for the future filed under the

Law falls below the amount required as provided in IVC Section 1-164.5 of the IVC, additional evidence shall be required. Cash and securities are deposited with the Illinois State Treasurer and the Treasurer monitors the securities and informs the Department if its value falls below the amount required. A certificate of insurance or bonds, real estate bonds that are without liens, stocks, and cash shall be accepted as evidence to establish the additional required proof of financial responsibility for the future. The additional security shall be sent to the Safety and Financial Responsibility Section, Department of Driver Services, 2701 South Dirksen Parkway, Springfield, Illinois 62723.

be filed pursuant to the provisions of IVC Section 7-301 of the IVC no longer fulfills the purpose for which required, the Department shall require other evidence of ability to respond in damages, including but not limited to an endorsed certificate of insurance meeting the requirements of IVC Section 1-164.5 of the IVC, bonds, unencumbered real estate bonds, stocks, or cash. The person required to post proof shall have 30 days from after notification by the Department to post or submitfile additional proof. If the person fails to post proof within 30 days, the Secretary of State shall suspend the driver's license, registration certificate, license plates, and registration sticker pending receipt of such proof.

g) Proof of Financial Responsibility as required in the Law shall be made by electronically transmittingfiling with the DepartmentSecretary of State a written or electronic certificate of insurance. Notices of cancellation or termination of the certified policy of insurance proof as required in IVC Sections 7-315 and 7-318 of the IV must be submitted in writing or electronically transmitted to the Department in a form and. All written or electronic certificates of insurance proof and cancellation or termination as required in the Law must be submitted in a manner satisfactory to the Secretary of State.

h) A notice of cancellation or termination of the certified policy of insurance for nonpayment of premiums shall only be <a href="mailto:transmitted-sent">transmitted-sent</a> to the <a href="Department-Secretary of State">Department-Secretary of State</a> after the insured has failed to discharge, on or after the due date, any of <a href="the policy-holder's-his or her">the policy-holder's-his or her</a> obligations in connection with the payment of premiums, or installments that are payable directly to the insurer, its agent, or a party that has financed the premium. In the event an insurance company violates the provisions of this subsection, that violation shall be reported to the Illinois Department of Financial and Professional Regulation-Division of Insurance.

i) Proof of Financial Responsibility as required in IVC Section 7-315, and notices of cancellation or termination of the certified policy of insurance, as required in IVC

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172	Section 7-318, when submitted by paper shall be 8½" X 11" in size. The
173	Department shall return certificates submitted incorrectly to the insurance
174	company. Certificates will not be processed until submitted on the correct size of
175	<del>paper.</del>
176	
177	(Source: Amended at 48 Ill. Reg, effective)