



Sen. David Koehler

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10000SB1694sam001

LRB100 08752 HEP 24773 a

1 AMENDMENT TO SENATE BILL 1694

2 AMENDMENT NO. _____. Amend Senate Bill 1694 on page 13,
3 line 25, by deleting "vehicle owner and"; and

4 on page 14, by replacing lines 7 through 9 with the following:

5 "must provide written notice within one business day after the
6 vehicle is removed or towed, by certified mail, return receipt
7 requested, to the lienholder of record, regardless of whether
8 the commercial"; and

9 on page 14, line 12, after "shall", by inserting "be effective
10 upon mailing and"; and

11 on page 14, line 15, after "stored.", by inserting "The date on
12 which the assessment and accrual of storage fees may commence
13 is the date of the impoundment of the vehicle, subject to any
14 applicable limitations set forth by a municipality authorizing

1 the vehicle removal."; and

2 on page 14, line 16, by deleting "vehicle owner or"; and

3 on page 14, line 18, by deleting "vehicle owner or"; and

4 on page 14, line 19, after "vehicle.", by inserting "The
5 commercial vehicle relocater or other private towing service
6 shall furnish a copy of the certified mail receipt to the
7 lienholder upon request."; and

8 on page 14, line 21, by deleting "owner and"; and

9 on page 15, line 1, by deleting "vehicle owner or"; and

10 on page 15, line 4, by changing "A lienholder that" to "If the
11 notification required under subsection (a) was not sent and a
12 lienholder"; and

13 on page 15, line 7, by changing "Section" to "Section, the
14 lienholder"; and

15 on page 15, line 8, by deleting "by the lienholder"; and

16 on page 15, by replacing line 11 through 20 with the following:

1 "(d) An action under this Section may be brought by the
2 lienholder against the commercial vehicle locator or other
3 private towing service in the circuit court."; and

4 on page 16, line 1, by deleting "owner"; and

5 on page 16, line 2, by deleting "and"; and

6 on page 16, by inserting immediately below line 3 the
7 following:

8 "(f) If the vehicle that is removed or towed is registered
9 in a state other than Illinois, the assessment and accrual of
10 storage fees may commence on the date that the request for
11 lienholder information is filed by the commercial vehicle
12 relocator or other private towing service with the applicable
13 administrative agency or office in that state if: (i) the
14 commercial vehicle relocator or other private towing service
15 furnishes the lienholder with a copy or proof of filing of the
16 request for lienholder information; (ii) the commercial
17 vehicle relocator or other private towing service provides to
18 the lienholder of record the notification required by this
19 Section within one business day after receiving the requested
20 lienholder information; and (iii) the assessment of storage
21 fees complies with any applicable limitations set forth by a
22 municipality authorizing the vehicle removal."; and

1 on page 16, line 7, by deleting "vehicle owner and"; and

2 on page 16, line 12, after "mail,", by inserting "return
3 receipt requested,"; and

4 on page 16, lines 12 and 13, by deleting "vehicle owner and";
5 and

6 on page 16, line 15, after "shall", by inserting "be effective
7 upon mailing and"; and

8 on page 16, line 18, after "stored.", by inserting "For
9 impounded vehicles, the date on which the assessment and
10 accrual of storage fees may commence is the date of the
11 impoundment of the vehicle, subject to any applicable
12 limitations set forth by a municipality authorizing the vehicle
13 removal, if the notification required under this Section is
14 sent to the lienholder of record within one business day."; and

15 on page 16, lines 18 and 19, by deleting "vehicle owner or";
16 and

17 on page 16, line 21, by deleting "vehicle owner or"; and

18 on page 16, line 22, after "vehicle", by inserting ". The

1 person, firm, or private corporation seeking to impose storage
2 fees shall furnish a copy of the certified mail receipt to the
3 lienholder upon request"; and

4 on page 16, line 24, by deleting "owner and"; and

5 on page 17, line 6, by deleting "vehicle owner or"; and

6 on page 17, line 9, by changing "A lienholder that" to "If the
7 notification required under subsection (a) was not sent and a
8 lienholder"; and

9 on page 17, line 12, by changing "Section" to "Section, the
10 lienholder"; and

11 on page 17, lines 12 and 13, by deleting "by the lienholder";
12 and

13 on page 17, by replacing lines 15 through 24 with the
14 following:

15 "(d) An action under this Section may be brought by the
16 lienholder against the person, firm, or private corporation in
17 the circuit court."; and

18 on page 18, line 3, by deleting "owner and"; and

1 on page 18, by inserting immediately below line 5 the
2 following:

3 "(f) If the vehicle that is incurring storage fees is
4 registered in a state other than Illinois, the assessment and
5 accrual of storage fees may commence on the date that the
6 request for lienholder information is filed with the applicable
7 administrative agency or office in that state by the person,
8 firm, or private corporation seeking to impose fees, if the
9 following conditions are met: (i) the person, firm, or private
10 corporation furnishes the lienholder with a copy or proof of
11 filing of the request for lienholder information; (ii) the
12 person, firm, or private corporation provides to the lienholder
13 of record the notification required by this Section within one
14 business day after receiving the requested lienholder
15 information; and (iii) the assessment of storage fees complies
16 with any applicable limitations set forth by a municipality
17 authorizing the vehicle removal.

18 (g) This Section does not apply to a municipality with
19 1,000,000 or more inhabitants that is seeking to impose storage
20 fees for a vehicle in its possession."; and

21 on page 18, line 10, by deleting "vehicle owner and"; and

22 on page 18, line 15, after "mail,", by inserting "return

1 receipt requested,"; and

2 on page 18, lines 15 and 16, by deleting "vehicle owner and";
3 and

4 on page 18, line 18, after "shall", by inserting "be effective
5 upon mailing and"; and

6 on page 18, line 21, after "stored.", by inserting "For
7 impounded vehicles, the date on which the assessment and
8 accrual of storage fees may commence is the date of the
9 impoundment of the vehicle, subject to any applicable
10 limitations set forth by a municipality authorizing the vehicle
11 removal, if the notification required under this Section is
12 sent to the lienholder of record within one business day."; and

13 on page 18, lines 21 and 22, by deleting "vehicle owner or";
14 and

15 on page 18, line 24, by deleting "vehicle owner or"; and

16 on page 19, line 1, after "vehicle", by inserting ". The
17 person, firm, or private corporation seeking to impose storage
18 fees shall furnish a copy of the certified mail receipt to the
19 lienholder upon request"; and

1 on page 19, line 3, by deleting "owner and"; and

2 on page 19, line 9, by deleting "vehicle owner or"; and

3 on page 19, line 12, by changing "A lienholder that" to "If the
4 notification required under subsection (a) was not sent and a
5 lienholder"; and

6 on page 19, line 15, by changing "Section" to "Section, the
7 lienholder"; and

8 on page 19, lines 15 and 16, by deleting "by the lienholder";
9 and

10 on page 19, by replacing lines 18 through 26 with the
11 following:

12 "(d) An action under this Section may be brought by the
13 lienholder against the person, firm, or private corporation in
14 the circuit court."; and

15 on page 20, by deleting line 1; and

16 on page 20, line 6, by deleting "owner and"; and

17 on page 20, by inserting immediately below line 8 the

1 following:

2 "(f) If the vehicle that is incurring storage fees is
3 registered in a state other than Illinois, the assessment and
4 accrual of storage fees may commence on the date that the
5 request for lienholder information is filed with the applicable
6 administrative agency or office in that state by the person,
7 firm, or private corporation seeking to impose fees, if the
8 following conditions are met: (i) the person, firm, or private
9 corporation furnishes the lienholder with a copy or proof of
10 filing of the request for lienholder information; (ii) the
11 person, firm, or private corporation provides to the lienholder
12 of record the notification required by this Section within one
13 business day after receiving the requested lienholder
14 information; and (iii) the assessment of storage fees complies
15 with any applicable limitations set forth by a municipality
16 authorizing the vehicle removal.

17 (g) This Section does not apply to a municipality with
18 1,000,000 or more inhabitants that is seeking to impose storage
19 fees for a vehicle in its possession."; and

20 on page 20, line 10, by changing "upon" to "90 days after".