

HB3855



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3855

Introduced 2/22/2021, by Rep. Mike Murphy

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-707

from Ch. 95 1/2, par. 3-707

Amends the Illinois Vehicle Code. Provides that certain penalties regarding the operation of an uninsured motor vehicle apply to any operator of a motor vehicle subject to registration under a law of another state that is similar to the Code.

LRB102 11462 RAM 16796 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
5 changing Section 3-707 as follows:

6 (625 ILCS 5/3-707) (from Ch. 95 1/2, par. 3-707)

7 Sec. 3-707. Operation of uninsured motor vehicle -
8 penalty.

9 (a) No person shall operate a motor vehicle in this State
10 unless the motor vehicle is covered by a liability insurance
11 policy in accordance with Section 7-601 of this Code.

12 (a-5) A person commits the offense of operation of
13 uninsured motor vehicle causing bodily harm when the person:

14 (1) operates a motor vehicle in violation of Section
15 7-601 of this Code; and

16 (2) causes, as a proximate result of the person's
17 operation of the motor vehicle, bodily harm to another
18 person.

19 (a-6) Uninsured operation of a motor vehicle under
20 subsection (a-5) is a Class A misdemeanor. If a person
21 convicted of the offense of operation of a motor vehicle under
22 subsection (a-5) has previously been convicted of 2 or more
23 violations of subsection (a-5) of this Section or of Section

1 7-601 of this Code, a fine of \$2,500, in addition to any
2 sentence of incarceration, must be imposed.

3 (b) Any person who fails to comply with a request by a law
4 enforcement officer for display of evidence of insurance, as
5 required under Section 7-602 of this Code, shall be deemed to
6 be operating an uninsured motor vehicle.

7 (c) Except as provided in subsections (a-6) and (c-5), any
8 operator of a motor vehicle subject to registration under this
9 Code, or under a similar law of another state, who is convicted
10 of violating this Section is guilty of a petty offense and
11 shall be required to pay a fine in excess of \$500, but not more
12 than \$1,000, except a person convicted of a third or
13 subsequent violation of this Section shall be guilty of a
14 business offense and shall be required to pay a fine of \$1,000.
15 However, no person charged with violating this Section shall
16 be convicted if such person produces in court satisfactory
17 evidence that at the time of the arrest the motor vehicle was
18 covered by a liability insurance policy in accordance with
19 Section 7-601 of this Code. The chief judge of each circuit may
20 designate an officer of the court to review the documentation
21 demonstrating that at the time of arrest the motor vehicle was
22 covered by a liability insurance policy in accordance with
23 Section 7-601 of this Code.

24 (c-1) A person convicted of violating this Section shall
25 also have his or her driver's license, permit, or privileges
26 suspended for 3 months. After the expiration of the 3 months,

1 the person's driver's license, permit, or privileges shall not
2 be reinstated until he or she has paid a reinstatement fee of
3 \$100. If a person violates this Section while his or her
4 driver's license, permit, or privileges are suspended under
5 this subsection (c-1), his or her driver's license, permit, or
6 privileges shall be suspended for an additional 6 months and
7 until he or she pays the reinstatement fee.

8 (c-5) A person who (i) has not previously been convicted
9 of or received a disposition of court supervision for
10 violating this Section and (ii) produces at his or her court
11 appearance satisfactory evidence that the motor vehicle is
12 covered, as of the date of the court appearance, by a liability
13 insurance policy in accordance with Section 7-601 of this Code
14 shall, for a violation of this Section, other than a violation
15 of subsection (a-5), pay a fine of \$100 and receive a
16 disposition of court supervision. The person must, on the date
17 that the period of court supervision is scheduled to
18 terminate, produce satisfactory evidence that the vehicle was
19 covered by the required liability insurance policy during the
20 entire period of court supervision.

21 An officer of the court designated under subsection (c)
22 may also review liability insurance documentation under this
23 subsection (c-5) to determine if the motor vehicle is, as of
24 the date of the court appearance, covered by a liability
25 insurance policy in accordance with Section 7-601 of this
26 Code. The officer of the court shall also determine, on the

1 date the period of court supervision is scheduled to
2 terminate, whether the vehicle was covered by the required
3 policy during the entire period of court supervision.

4 (d) A person convicted a third or subsequent time of
5 violating this Section or a similar provision of a local
6 ordinance must give proof to the Secretary of State of the
7 person's financial responsibility as defined in Section 7-315.
8 The person must maintain the proof in a manner satisfactory to
9 the Secretary for a minimum period of 3 years after the date
10 the proof is first filed. The Secretary must suspend the
11 driver's license of any person determined by the Secretary not
12 to have provided adequate proof of financial responsibility as
13 required by this subsection.

14 (Source: P.A. 99-613, eff. 1-1-17; 100-202, eff. 1-1-18.)