



Adopted in House Comm. on Mar 04, 2004

09300HB4127ham002

LRB093 17652 DRH 48252 a

1 AMENDMENT TO HOUSE BILL 4127

2 AMENDMENT NO. _____. Amend House Bill 4127, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, on page 1, below line 20, by inserting the following:

5 "(c) A person prohibited from purchasing a motor vehicle by
6 this Section may seek an exception by filing a request for an
7 exception with the Administrative Hearings Department of the
8 Office of the Secretary of State. The Secretary may grant the
9 exception upon a showing (i) that the person's name must appear
10 on the title and registration of a motor vehicle for financing
11 purposes and (ii) that the motor vehicle is to be used as a
12 primary means of transportation by another person. The
13 Secretary shall adopt rules for implementing this subsection
14 (c)"; and

15 on page 6, by replacing lines 20 through 31 with the following:

16 "(625 ILCS 5/5-106.1 new)

17 Sec. 5-106.1. Sales to certain offenders prohibited.

18 (a) A new or used motor vehicle dealer may not sell a motor
19 vehicle to any individual whose driving privileges are
20 suspended or revoked as a result of a conviction for violating
21 Section 9-3 of the Criminal Code of 1961 relating to the
22 offense of reckless homicide, or a conviction for violating
23 Section 11-501 of this Code or a similar provision of a local
24 ordinance, or suspended in accordance with a statutory summary

1 suspension as authorized by Section 11-501.1 of this Code,
2 unless the individual has been issued a driving permit as
3 authorized by this Code that is in effect at the time of the
4 purchase.

5 (b) The sale of a motor vehicle to a person whose driving
6 privileges are suspended or revoked as described in subsection
7 (a) is not a violation of this Section if (i) the new or used
8 motor vehicle dealer attempts to ascertain the status of the
9 purchaser's driving privileges through the means established
10 by the Secretary of State and is unable to do so because the
11 information is unavailable due to a failure of the
12 communication system established by the Secretary of State or
13 (ii) the information received from the Secretary of State is
14 erroneous."