

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 Identification Card Act is amended
5 by changing Section 14 as follows:

6 (15 ILCS 335/14) (from Ch. 124, par. 34)

7 Sec. 14. Unlawful use of identification card.

8 (a) It is a violation of this Section for any person:

9 1. To possess, display, or cause to be displayed any
10 cancelled or revoked identification card;

11 2. To display or represent as the person's own any
12 identification card issued to another;

13 3. To allow any unlawful use of an identification card
14 issued to the person;

15 4. To lend an identification card to another or
16 knowingly allow the use thereof by another;

17 5. To fail or refuse to surrender to the Secretary of
18 State, the Secretary's agent or any peace officer upon
19 lawful demand, any identification card which has been
20 revoked or cancelled;

21 6. To possess, use, or allow to be used any materials,
22 hardware, or software specifically designed for or
23 primarily used in the manufacture, assembly, issuance, or
24 authentication of an official Illinois Identification Card
25 or Illinois Disabled Person Identification Card issued by
26 the Secretary of State; ~~or~~

27 7. ~~6.~~ To knowingly possess, use, or allow to be used a
28 stolen identification card making implement.

29 (a-1) It is a violation of this Section for any person to
30 possess, use, or allow to be used any materials, hardware, or
31 software specifically designed for or primarily used in the
32 reading of encrypted language from the bar code or magnetic

1 strip of an official Illinois Identification Card or Illinois
2 Disabled Person Identification Card issued by the Secretary of
3 State. This subsection (a-1) does not apply if a federal or
4 State law, rule, or regulation requires that the card holder's
5 address be recorded in specified transactions or if the
6 encrypted information is obtained for the detection or possible
7 prosecution of criminal offenses or fraud. If the address
8 information is obtained under this subsection (a-1), it may be
9 used only for the purposes authorized by this subsection (a-1).

10 (a-5) As used in this Section "identification card" means
11 any document made or issued by or under the authority of the
12 United States Government, the State of Illinois or any other
13 State or political subdivision thereof, or any governmental or
14 quasi-governmental organization that, when completed with
15 information concerning the individual, is of a type intended or
16 commonly accepted for the purpose of identifying the
17 individual.

18 (b) Sentence.

19 1. Any person convicted of a violation of this Section
20 shall be guilty of a Class A misdemeanor and shall be
21 sentenced to a minimum fine of \$500 or 50 hours of
22 community service, preferably at an alcohol abuse
23 prevention program, if available.

24 2. A person convicted of a second or subsequent
25 violation of this Section shall be guilty of a Class 4
26 felony.

27 (c) This Section does not prohibit any lawfully authorized
28 investigative, protective, law enforcement or other activity
29 of any agency of the United States, State of Illinois or any
30 other state or political subdivision thereof.

31 (Source: P.A. 93-667, eff. 3-19-04; 93-895, eff. 1-1-05;
32 revised 10-25-04.)

33 Section 10. The Illinois Vehicle Code is amended by
34 changing Sections 3-113, 3-401, 3-412, 3-416, 3-704, 3-802,
35 3-803, 3-818, 6-107, 6-301.2, 7-315, 7-318, 7-503, and 12-603.1

1 as follows:

2 (625 ILCS 5/3-113) (from Ch. 95 1/2, par. 3-113)

3 Sec. 3-113. Transfer to or from dealer; records.

4 (a) After ~~if~~ a dealer buys a vehicle and holds it for
5 resale, the dealer must procure ~~and procures~~ the certificate of
6 title from the owner or the lienholder. The dealer may hold the
7 certificate until he or she transfers the vehicle to another
8 person. ~~within 10 days after delivery to him of the vehicle, he~~
9 ~~need not send the certificate to the Secretary of State but,~~
10 Upon transferring the vehicle to another person, the dealer
11 ~~other than by the creation of a security interest,~~ shall
12 promptly and within 20 days execute the assignment and warranty
13 of title by a dealer, showing the names and addresses of the
14 transferee and of any lienholder holding a security interest
15 created or reserved at the time of the resale, in the spaces
16 provided therefor on the certificate or as the Secretary of
17 State prescribes, and mail or deliver the certificate to the
18 Secretary of State with the transferee's application for a new
19 certificate, except as provided in Section 3-117.2.

20 (b) The Secretary of State may decline to process any
21 application for a transfer of an interest in a vehicle if any
22 fees or taxes due under this Code from the transferor or the
23 transferee have not been paid upon reasonable notice and
24 demand.

25 (c) Any person who violates this Section shall be guilty of
26 a petty offense.

27 (Source: P.A. 86-820; 87-1225.)

28 (625 ILCS 5/3-401) (from Ch. 95 1/2, par. 3-401)

29 Sec. 3-401. Effect of provisions.

30 (a) It shall be unlawful for any person to violate any
31 provision of this Chapter or to drive or move or for an owner
32 knowingly to permit to be driven or moved upon any highway any
33 vehicle of a type required to be registered hereunder which is
34 not registered or for which the appropriate fee has not been

1 paid when and as required hereunder, except that when
2 application accompanied by proper fee has been made for
3 registration of a vehicle it may be operated temporarily
4 pending complete registration upon displaying a duplicate
5 application duly verified or other evidence of such application
6 or otherwise under rules and regulations promulgated by the
7 Secretary of State.

8 (b) The appropriate fees required to be paid under the
9 various provisions of this Act for registration of vehicles
10 shall mean the fee or fees which would have been paid
11 initially, if proper and timely application had been made to
12 the Secretary of State for the appropriate registration
13 required, whether such registration be a flat weight
14 registration, a single trip permit, a reciprocity permit or a
15 supplemental application to an original prorated application
16 together with payment of fees due under the supplemental
17 application for prorated decals.

18 (c) Effective October 1, 1984, no vehicle required to pay a
19 Federal Highway Users Tax shall be registered unless proof of
20 payment, in a form prescribed and approved by the Secretary of
21 State, is submitted with the appropriate registration.
22 Notwithstanding any other provision of this Code, failure of
23 the applicant to comply with this paragraph shall be deemed
24 grounds for the Secretary to refuse registration.

25 (c-1) A vehicle may not be registered by the Secretary of
26 State unless that vehicle:

27 (1) was originally manufactured for operation on
28 highways;

29 (2) is a modification of a vehicle that was originally
30 manufactured for operation on highways; or

31 (3) was assembled from component parts designed for use
32 in vehicles to be operated on highways.

33 (d) Second division vehicles.

34 (1) A vehicle of the second division moved or operated
35 within this State shall have had paid for it the
36 appropriate registration fees and flat weight tax, as

1 evidenced by the Illinois registration issued for that
2 vehicle, for the gross weight of the vehicle and load being
3 operated or moved within this State. Second division
4 vehicles of foreign jurisdictions operated within this
5 State under a single trip permit, fleet reciprocity plan,
6 prorated registration plan, or apportioned registration
7 plan, instead of second division vehicle registration
8 under Article VIII of this Chapter, must have had paid for
9 it the appropriate registration fees and flat weight tax in
10 the base jurisdiction of that vehicle, as evidenced by the
11 maximum gross weight shown on the foreign registration
12 cards, plus any appropriate fees required under this Code.

13 (2) If a vehicle and load are operated in this State
14 and the appropriate fees and taxes have not been paid or
15 the vehicle and load exceed the registered gross weight for
16 which the required fees and taxes have been paid by 2001
17 pounds or more, the operator or owner shall be fined as
18 provided in Section 15-113 of this Code. However, an owner
19 or operator shall not be subject to arrest under this
20 subsection for any weight in excess of 80,000 pounds.
21 Further, for any unregistered vehicle or vehicle
22 displaying expired registration, no fine shall exceed the
23 actual cost of what the appropriate registration for that
24 vehicle and load should have been as established in
25 subsection (a) of Section 3-815 of this Chapter regardless
26 of the route traveled.

27 (3) Any person operating a legal combination of
28 vehicles displaying valid registration shall not be
29 considered in violation of the registration provision of
30 this subsection unless the total gross weight of the
31 combination exceeds the total licensed weight of the
32 vehicles in the combination. The gross weight of a vehicle
33 exempt from the registration requirements of this Chapter
34 shall not be included when determining the total gross
35 weight of vehicles in combination.

36 (4) If the defendant claims that he or she had

1 previously paid the appropriate Illinois registration fees
2 and taxes for this vehicle before the alleged violation,
3 the defendant shall have the burden of proving the
4 existence of the payment by competent evidence. Proof of
5 proper Illinois registration issued by the Secretary of
6 State, or the appropriate registration authority from the
7 foreign state, shall be the only competent evidence of
8 payment.

9 (Source: P.A. 88-476; 89-245, eff. 1-1-96.)

10 (625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

11 Sec. 3-412. Registration plates and registration stickers
12 to be furnished by the Secretary of State.

13 (a) The Secretary of State upon registering a vehicle
14 subject to annual registration for the first time shall issue
15 or shall cause to be issued to the owner one registration plate
16 for a motorcycle, trailer, semitrailer, motorized pedalcycle
17 or truck-tractor, 2 registration plates for other motor
18 vehicles and, where applicable, current registration stickers
19 for motor vehicles of the first division. The provisions of
20 this Section may be made applicable to such vehicles of the
21 second division, as the Secretary of State may, from time to
22 time, in his discretion designate. On subsequent annual
23 registrations during the term of the registration plate as
24 provided in Section 3-414.1, the Secretary shall issue or cause
25 to be issued registration stickers as evidence of current
26 registration. However, the issuance of annual registration
27 stickers to vehicles registered under the provisions of
28 Sections 3-402.1 and 3-405.3 of this Code may not be required
29 if the Secretary deems the issuance unnecessary.

30 (b) Every registration plate shall have displayed upon it
31 the registration number assigned to the vehicle for which it is
32 issued, the name of this State, which may be abbreviated, the
33 year number for which it was issued, which may be abbreviated,
34 the phrase "Land of Lincoln" (except as otherwise provided in
35 this Code ~~Chapter 3~~), and such other letters or numbers as the

1 Secretary may prescribe. However, for apportionment plates
2 issued to vehicles registered under Section 3-402.1 and fleet
3 plates issued to vehicles registered under Section 3-405.3, the
4 phrase "Land of Lincoln" may be omitted to allow for the word
5 "apportioned", the word "fleet", or other similar language to
6 be displayed. Registration plates issued to a vehicle
7 registered as a fleet vehicle may display a designation
8 determined by the Secretary.

9 The Secretary may in his discretion prescribe that letters
10 be used as prefixes only on registration plates issued to
11 vehicles of the first division which are registered under this
12 Code and only as suffixes on registration plates issued to
13 other vehicles. Every registration sticker issued as evidence
14 of current registration shall designate the year number for
15 which it is issued and such other letters or numbers as the
16 Secretary may prescribe and shall be of a contrasting color
17 with the registration plates and registration stickers of the
18 previous year.

19 (c) Each registration plate and the required letters and
20 numerals thereon, except the year number for which issued,
21 shall be of sufficient size to be plainly readable from a
22 distance of 100 feet during daylight, and shall be coated with
23 reflectorizing material. The dimensions of the plate issued to
24 vehicles of the first division shall be 6 by 12 inches.

25 (d) The Secretary of State shall issue for every passenger
26 motor vehicle rented without a driver the same type of
27 registration plates as the type of plates issued for a private
28 passenger vehicle.

29 (e) The Secretary of State shall issue for every passenger
30 car used as a taxicab or livery, distinctive registration
31 plates.

32 (f) The Secretary of State shall issue for every motorcycle
33 distinctive registration plates distinguishing between
34 motorcycles having 150 or more cubic centimeters piston
35 displacement, or having less than 150 cubic centimeter piston
36 displacement.

1 (g) Registration plates issued to vehicles for-hire may
2 display a designation as determined by the Secretary that such
3 vehicles are for-hire.

4 (h) The Secretary of State shall issue ~~for each electric~~
5 ~~vehicle~~ distinctive registration plates for electric vehicles
6 ~~which shall distinguish between electric vehicles having a~~
7 ~~maximum operating speed of 45 miles per hour or more and those~~
8 ~~having a maximum operating speed of less than 45 miles per~~
9 ~~hour.~~

10 (i) The Secretary of State shall issue for every public and
11 private ambulance registration plates identifying the vehicle
12 as an ambulance. The Secretary shall forward to the Department
13 of Public Aid registration information for the purpose of
14 verification of claims filed with the Department by ambulance
15 owners for payment for services to public assistance
16 recipients.

17 (j) The Secretary of State shall issue for every public and
18 private medical carrier or rescue vehicle livery registration
19 plates displaying numbers within ranges of numbers reserved
20 respectively for medical carriers and rescue vehicles. The
21 Secretary shall forward to the Department of Public Aid
22 registration information for the purpose of verification of
23 claims filed with the Department by owners of medical carriers
24 or rescue vehicles for payment for services to public
25 assistance recipients.

26 (Source: P.A. 92-629, eff. 7-1-03; 92-651, eff. 7-11-02;
27 revised 9-27-03.)

28 (625 ILCS 5/3-416) (from Ch. 95 1/2, par. 3-416)

29 Sec. 3-416. Notice of change of address or name.

30 (a) Whenever any person after making application for or
31 obtaining the registration of a vehicle shall move from the
32 address named in the application or shown upon a registration
33 card ~~or certificate of title~~ such person shall within 10 days
34 thereafter notify the Secretary of State ~~in writing~~ of his or
35 her old and new address.

1 (a-5) A police officer, a deputy sheriff, an elected
2 sheriff, a law enforcement officer for the Department of State
3 Police, or a fire investigator who, in accordance with Section
4 3-405, has furnished the address of the office of the
5 headquarters of the governmental entity or police district
6 where he or she works instead of his or her residence address
7 shall, within 10 days after he or she is no longer employed by
8 that governmental entity or police district as a police
9 officer, a deputy sheriff, an elected sheriff, a law
10 enforcement officer for the Department of State Police or a
11 fire investigator, notify the Secretary of State of the old
12 address and his or her new address. If, in accordance with
13 Section 3-405, the spouse and children of a police officer,
14 deputy sheriff, elected sheriff, law enforcement officer for
15 the Department of State Police, or fire investigator have
16 furnished the address of the office of the headquarters of the
17 governmental entity or police district where the police
18 officer, deputy sheriff, elected sheriff, law enforcement
19 officer for the Department of State Police, or fire
20 investigator works instead of their residence address, the
21 spouse and children shall notify the Secretary of State of
22 their old address and new address within 10 days after the
23 police officer, deputy sheriff, elected sheriff, law
24 enforcement officer for the Department of State Police, or fire
25 investigator is no longer employed by that governmental entity
26 or police district as a police officer, deputy sheriff, elected
27 sheriff, law enforcement officer for the Department of State
28 Police, or fire investigator.

29 (b) Whenever the name of any person who has made
30 application for or obtained the registration of a vehicle is
31 thereafter changed by marriage or otherwise such person shall
32 within 10 days notify the Secretary of State of such former and
33 new name.

34 (c) In either event, any such person may obtain a corrected
35 registration card or certificate of title upon application and
36 payment of the statutory fee.

1 (Source: P.A. 91-575, eff. 8-14-99.)

2 (625 ILCS 5/3-704) (from Ch. 95 1/2, par. 3-704)

3 Sec. 3-704. Authority of Secretary of State to suspend or
4 revoke a registration or certificate of title; authority to
5 suspend or revoke the registration of a vehicle.

6 (a) The Secretary of State may suspend or revoke the
7 registration of a vehicle or a certificate of title,
8 registration card, registration sticker, registration plate,
9 person with disabilities parking decal or device, or any
10 nonresident or other permit in any of the following events:

11 1. When the Secretary of State is satisfied that such
12 registration or that such certificate, card, plate,
13 registration sticker or permit was fraudulently or
14 erroneously issued;

15 2. When a registered vehicle has been dismantled or
16 wrecked or is not properly equipped;

17 3. When the Secretary of State determines that any
18 required fees have not been paid to ~~either~~ the Secretary of
19 State, to ~~or~~ the Illinois Commerce Commission, or to the
20 Illinois Department of Revenue under the Motor Fuel Tax
21 Law, and the same are not paid upon reasonable notice and
22 demand;

23 4. When a registration card, registration plate,
24 registration sticker or permit is knowingly displayed upon
25 a vehicle other than the one for which issued;

26 5. When the Secretary of State determines that the
27 owner has committed any offense under this Chapter
28 involving the registration or the certificate, card,
29 plate, registration sticker or permit to be suspended or
30 revoked;

31 6. When the Secretary of State determines that a
32 vehicle registered not-for-hire is used or operated
33 for-hire unlawfully, or used or operated for purposes other
34 than those authorized;

35 7. When the Secretary of State determines that an owner

1 of a for-hire motor vehicle has failed to give proof of
2 financial responsibility as required by this Act;

3 8. When the Secretary determines that the vehicle is
4 not subject to or eligible for a registration;

5 9. When the Secretary determines that the owner of a
6 vehicle registered under the mileage weight tax option
7 fails to maintain the records specified by law, or fails to
8 file the reports required by law, or that such vehicle is
9 not equipped with an operable and operating speedometer or
10 odometer;

11 10. When the Secretary of State is so authorized under
12 any other provision of law;

13 11. When the Secretary of State determines that the
14 holder of a person with disabilities parking decal or
15 device has committed any offense under Chapter 11 of this
16 Code involving the use of a person with disabilities
17 parking decal or device.

18 (b) The Secretary of State may suspend or revoke the
19 registration of a vehicle as follows:

20 1. When the Secretary of State determines that the
21 owner of a vehicle has not paid a civil penalty or a
22 settlement agreement arising from the violation of rules
23 adopted under the Illinois Motor Carrier Safety Law or the
24 Illinois Hazardous Materials Transportation Act or that a
25 vehicle, regardless of ownership, was the subject of
26 violations of these rules that resulted in a civil penalty
27 or settlement agreement which remains unpaid.

28 2. When the Secretary of State determines that a
29 vehicle registered for a gross weight of more than 16,000
30 pounds within an affected area is not in compliance with
31 the provisions of Section 13-109.1 of the Illinois Vehicle
32 Code.

33 (Source: P.A. 92-437, eff. 8-17-01.)

34 (625 ILCS 5/3-802) (from Ch. 95 1/2, par. 3-802)
35 Sec. 3-802. Reclassifications and upgrades.

1 (a) Definitions. For the purposes of this Section, the
2 following words shall have the meanings ascribed to them as
3 follows:

4 "Reclassification" means changing the registration of
5 a vehicle from one plate category to another.

6 "Upgrade" means increasing the registered weight of a
7 vehicle within the same plate category.

8 (b) When reclassing the registration of a vehicle from one
9 plate category to another, the owner shall receive credit for
10 the unused portion of the present plate and be charged the
11 current portion fees for the new plate. In addition, the
12 appropriate replacement plate and replacement sticker fees
13 shall be assessed.

14 (c) When upgrading the weight of a registration within the
15 same plate category, the owner shall pay the difference in
16 current period fees between the two plates. In addition, the
17 appropriate replacement plate and replacement sticker fees
18 shall be assessed. In the event new plates are not required,
19 the corrected registration card fee shall be assessed.

20 (d) In the event the owner of the vehicle desires to change
21 the registered weight and change the plate category, the owner
22 shall receive credit for the unused portion of the registration
23 fee of the current plate and pay the current portion of the
24 registration fee for the new plate, and in addition, pay the
25 appropriate replacement plate and replacement sticker fees.

26 (e) Reclassing from one plate category to another plate
27 category can be done only once within any registration period.

28 (f) No refunds shall be made in any of the circumstances
29 found in subsection (b), subsection (c), or subsection (d);
30 however, when reclassing from a flat weight ~~rate~~ plate to an
31 apportioned plate, a refund may be issued if ~~the applicant was~~
32 ~~issued the wrong plate originally and~~ the credit amounts to an
33 overpayment.

34 (g) In the event the registration of a vehicle registered
35 under the mileage tax option is revoked, the owner shall be
36 required to pay the annual registration fee in the new plate

1 category and shall not receive any credit for the mileage plate
2 fees.

3 (h) Certain special interest plates may be displayed on
4 first division vehicles, second division vehicles weighing
5 8,000 pounds or less, and recreational vehicles. Those plates
6 can be transferred within those vehicle groups.

7 (i) Plates displayed on second division vehicles weighing
8 8,000 pounds or less and passenger vehicle plates may be
9 reclassified from one division to the other.

10 (j) Other than in subsection (i), reclassing from one
11 division to the other division is prohibited. In addition, a
12 reclass from a motor vehicle to a trailer or a trailer to a
13 motor vehicle is prohibited.

14 (Source: P.A. 93-365, eff. 7-24-03.)

15 (625 ILCS 5/3-803) (from Ch. 95 1/2, par. 3-803)

16 Sec. 3-803. Reductions.

17 (a) Reduction of fees and taxes prescribed in this Chapter
18 shall be applicable only to vehicles newly-acquired by the
19 owner after the beginning of a registration period or which
20 become subject to registration after the beginning of a
21 registration period as specified in this Act. The Secretary of
22 State may deny a reduction as to any vehicle operated in this
23 State without being properly and timely registered in Illinois
24 under this Chapter, of a vehicle in violation of any provision
25 of this Chapter, or upon detection of such violation by an
26 audit, or upon determining that such vehicle was operated in
27 Illinois before such violation. Bond or other security in the
28 proper amount may be required by the Secretary of State while
29 the matter is under investigation. Reductions shall be granted
30 if a person becomes the owner after the dates specified or if a
31 vehicle becomes subject to registration under this Act, as
32 amended, after the dates specified.

33 (b) Vehicles of the First Division. The annual fees and
34 taxes prescribed by Section 3-806 shall be reduced by 50% on
35 and after June 15, except as provided in Sections 3-414 and

1 3-802 of this Act.

2 (c) Vehicles of the Second Division. The annual fees and
3 taxes prescribed by Sections 3-402, 3-402.1, 3-815 and 3-819
4 and paid on a calendar year for such vehicles shall be reduced
5 on a quarterly basis if the vehicle becomes subject to
6 registration on and after March 31, June 30 or September 30.
7 Where such fees and taxes are payable on a fiscal year basis,
8 they shall be reduced on a quarterly basis on and after
9 September 30, December 31 or March 31.

10 (d) Two-year Registrations. The fees and taxes prescribed
11 by Section 3-808 for 2-year registrations shall not be reduced
12 in any event. However, the fees and taxes prescribed for all
13 other 2-year registrations by this Act, shall be reduced as
14 follows:

15 By 25% on and after June 15;

16 By 50% on and after December 15;

17 By 75% on and after the next ensuing June 15.

18 (e) The registration fees and taxes imposed upon certain
19 vehicles shall not be reduced by any amount in any event in the
20 following instances:

21 Permits under Sections 3-403 and 3-811;

22 Municipal Buses under Section 3-807;

23 Governmental or charitable vehicles under Section 3-808;

24 Farm Machinery under Section 3-809;

25 Soil and conservation equipment under Section 3-809.1;

26 Special Plates under Section 3-810;

27 Permanently mounted equipment under Section 3-812;

28 Registration fee under Section 3-813;

29 Semitrailer fees under Section 3-814;

30 Farm trucks under Section 3-815;

31 Mileage weight tax option under Section 3-818;

32 Farm trailers under Section 3-819;

33 Duplicate plates under Section 3-820;

34 Fees under Section 3-821;

35 ~~Security Fees under Section 3-822;~~

36 Search Fees under Section 3-823.

1 (f) The reductions provided for shall not apply to any
2 vehicle of the first or second division registered by the same
3 applicant in the prior registration year.

4 The changes to this Section made by Public Act 84-210 take
5 ~~This bill takes~~ effect with the 1986 Calendar Registration
6 Year.

7 (g) Reductions shall in no event result in payment of a fee
8 or tax less than \$6, and the Secretary of State shall
9 promulgate schedules of fees reflecting applicable reductions.
10 Where any reduced amount is not stated in full dollars, the
11 Secretary of State may adjust the amount due to the nearest
12 full dollar amount.

13 (h) The reductions provided for in subsections (a) through
14 (g) of this Section shall not apply to those vehicles of the
15 first or second division registered on a staggered registration
16 basis.

17 (i) A vehicle which becomes subject to registration during
18 the last month of the current registration year is exempt from
19 any applicable reduced fourth quarter or second semiannual
20 registration fee, and may register for the subsequent
21 registration year as its initial registration. This subsection
22 does not include those apportioned and prorated fees under
23 Sections 3-402 and 3-402.1 of this Code.

24 (Source: P.A. 84-1311; revised 2-25-02.)

25 (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

26 Sec. 3-818. (a) Mileage weight tax option. Any owner of a
27 vehicle of the second division may elect to pay a mileage
28 weight tax for such vehicle in lieu of the flat weight tax set
29 out in Section 3-815. Such election shall be binding to the end
30 of the registration year. Renewal of this election must be
31 filed with the Secretary of State on or before July 1 of each
32 registration period. In such event the owner shall, at the time
33 of making such election, pay the \$10 registration fee and the
34 minimum guaranteed mileage weight tax, as hereinafter
35 provided, which payment shall permit the owner to operate that

1 vehicle the maximum mileage in this State hereinafter set
 2 forth. Any vehicle being operated on mileage plates cannot be
 3 operated outside of this State. In addition thereto, the owner
 4 of that vehicle shall pay a mileage weight tax at the following
 5 rates for each mile traveled in this State in excess of the
 6 maximum mileage provided under the minimum guaranteed basis:

7 BUS, TRUCK OR TRUCK TRACTOR

8			Maximum	Mileage	
9			Minimum	Mileage	Weight Tax
10			Guaranteed	Permitted	for Mileage
11	Gross Weight		Mileage	Under	in excess of
12	Vehicle and		Weight	Guaranteed	Guaranteed
13	Load	Class	Tax	Tax	Mileage
14	12,000 lbs. or less	MD	\$73	5,000	26 Mills
15	12,001 to 16,000 lbs.	MF	120	6,000	34 Mills
16	16,001 to 20,000 lbs.	MG	180	6,000	46 Mills
17	20,001 to 24,000 lbs.	MH	235	6,000	63 Mills
18	24,001 to 28,000 lbs.	MJ	315	7,000	63 Mills
19	28,001 to 32,000 lbs.	MK	385	7,000	83 Mills
20	32,001 to 36,000 lbs.	ML	485	7,000	99 Mills
21	36,001 to 40,000 lbs.	MN	615	7,000	128 Mills
22	40,001 to 45,000 lbs.	MP	695	7,000	139 Mills
23	45,001 to 54,999 lbs.	MR	853	7,000	156 Mills
24	55,000 to 59,500 lbs.	MS	920	7,000	178 Mills
25	59,501 to 64,000 lbs.	MT	985	7,000	195 Mills
26	64,001 to 73,280 lbs.	MV	1,173	7,000	225 Mills
27	73,281 to 77,000 lbs.	MX	1,328	7,000	258 Mills
28	77,001 to 80,000 lbs.	MZ	1,415	7,000	275 Mills

29 TRAILER

30			Maximum	Mileage	
31			Minimum	Mileage	Weight Tax
32			Guaranteed	Permitted	for Mileage
33	Gross Weight		Mileage	Under	in excess of
34	Vehicle and		Weight	Guaranteed	Guaranteed
35	Load	Class	Tax	Tax	Mileage
36	14,000 lbs. or less	ME	\$75	5,000	31 Mills

1	14,001 to 20,000 lbs.	MF	135	6,000	36 Mills
2	20,001 to 36,000 lbs.	ML	540	7,000	103 Mills
3	36,001 to 40,000 lbs.	MM	750	7,000	150 Mills

4 (a-1) A Special Hauling Vehicle is a vehicle or combination
5 of vehicles of the second division registered under Section
6 3-813 transporting asphalt or concrete in the plastic state or
7 a vehicle or combination of vehicles that are subject to the
8 gross weight limitations in subsection (b) of Section 15-111
9 for which the owner of the vehicle or combination of vehicles
10 has elected to pay, in addition to the registration fee in
11 subsection (a), \$125 to the Secretary of State for each
12 registration year. The Secretary shall designate this class of
13 vehicle as a Special Hauling Vehicle.

14 In preparing rate schedules on registration applications,
15 the Secretary of State shall add to the above rates, the \$10
16 registration fee. The Secretary may decline to accept any
17 renewal filed after July 1st.

18 The number of axles necessary to carry the maximum load
19 provided shall be determined from Chapter 15 of this Code.

20 Every owner of a second division motor vehicle for which he
21 has elected to pay a mileage weight tax shall keep a daily
22 record upon forms prescribed by the Secretary of State, showing
23 the mileage covered by that vehicle in this State. Such record
24 shall contain the license number of the vehicle and the miles
25 traveled by the vehicle in this State for each day of the
26 calendar month. Such owner shall also maintain records of fuel
27 consumed by each such motor vehicle and fuel purchases
28 therefor. On or before the 10th day of ~~January and~~ July the
29 owner shall certify to the Secretary of State upon forms
30 prescribed therefor, summaries of his daily records which shall
31 show the miles traveled by the vehicle in this State during the
32 preceding 12 ~~6~~ months and such other information as the
33 Secretary of State may require. The daily record and fuel
34 records shall be filed, preserved and available for audit for a
35 period of 3 years. Any owner filing a return hereunder shall
36 certify that such return is a true, correct and complete

1 return. Any person who willfully makes a false return hereunder
2 is guilty of perjury and shall be punished in the same manner
3 and to the same extent as is provided therefor.

4 At the time of filing his return, each owner shall pay to
5 the Secretary of State the proper amount of tax at the rate
6 herein imposed.

7 Every owner of a vehicle of the second division who elects
8 to pay on a mileage weight tax basis and who operates the
9 vehicle within this State, shall file with the Secretary of
10 State a bond in the amount of \$500. The bond shall be in a form
11 approved by the Secretary of State and with a surety company
12 approved by the Illinois Department of Insurance to transact
13 business in this State as surety, and shall be conditioned upon
14 such applicant's paying to the State of Illinois all money
15 becoming due by reason of the operation of the second division
16 vehicle in this State, together with all penalties and interest
17 thereon.

18 Upon notice from the Secretary that the registrant has
19 failed to pay the excess mileage fees, the surety shall
20 immediately pay the fees together with any penalties and
21 interest thereon in an amount not to exceed the limits of the
22 bond.

23 (Source: P.A. 91-37, eff. 7-1-99; 91-499, eff. 8-13-99; 92-16,
24 eff. 6-28-01.)

25 (625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)

26 Sec. 6-107. Graduated license.

27 (a) The purpose of the Graduated Licensing Program is to
28 develop safe and mature driving habits in young, inexperienced
29 drivers and reduce or prevent motor vehicle accidents,
30 fatalities, and injuries by:

31 (1) providing for an increase in the time of practice
32 period before granting permission to obtain a driver's
33 license;

34 (2) strengthening driver licensing and testing
35 standards for persons under the age of 21 years;

1 (3) sanctioning driving privileges of drivers under
2 age 21 who have committed serious traffic violations or
3 other specified offenses; and

4 (4) setting stricter standards to promote the public's
5 health and safety.

6 (b) The application of any person under the age of 18
7 years, and not legally emancipated by marriage, for a drivers
8 license or permit to operate a motor vehicle issued under the
9 laws of this State, shall be accompanied by the written consent
10 of either parent of the applicant; otherwise by the guardian
11 having custody of the applicant, or in the event there is no
12 parent or guardian, then by another responsible adult.

13 No graduated driver's license shall be issued to any
14 applicant under 18 years of age, unless the applicant is at
15 least 16 years of age and has:

16 (1) Held a valid instruction permit for a minimum of 3
17 months.

18 (2) Passed an approved driver education course and
19 submits proof of having passed the course as may be
20 required.

21 (3) certification by the parent, legal guardian, or
22 responsible adult that the applicant has had a minimum of
23 25 hours of behind-the-wheel practice time and is
24 sufficiently prepared and able to safely operate a motor
25 vehicle.

26 (c) No graduated driver's license or permit shall be issued
27 to any applicant under 18 years of age who has committed the
28 offense of operating a motor vehicle without a valid license or
29 permit in violation of Section 6-101 of this Code and no
30 graduated driver's license or permit shall be issued to any
31 applicant under 18 years of age who has committed an offense
32 that would otherwise result in a mandatory revocation of a
33 license or permit as provided in Section 6-205 of this Code or
34 who has been either convicted of or adjudicated a delinquent
35 based upon a violation of the Cannabis Control Act or the
36 Illinois Controlled Substances Act, while that individual was

1 in actual physical control of a motor vehicle. For purposes of
2 this Section, any person placed on probation under Section 10
3 of the Cannabis Control Act or Section 410 of the Illinois
4 Controlled Substances Act shall not be considered convicted.
5 Any person found guilty of this offense, while in actual
6 physical control of a motor vehicle, shall have an entry made
7 in the court record by the judge that this offense did occur
8 while the person was in actual physical control of a motor
9 vehicle and order the clerk of the court to report the
10 violation to the Secretary of State as such.

11 (d) No graduated driver's license shall be issued for 6
12 months to any applicant under the age of 18 years who has been
13 convicted of any offense defined as a serious traffic violation
14 in this Code or a similar provision of a local ordinance.

15 (e) No graduated driver's license holder under the age of
16 18 years shall operate any motor vehicle, except a motor driven
17 cycle or motorcycle, with more than one passenger in the front
18 seat of the motor vehicle and no more passengers in the back
19 seats than the number of available seat safety belts as set
20 forth in Section 12-603 of this Code.

21 (f) No graduated driver's license holder under the age of
22 18 shall operate a motor vehicle unless each driver and ~~front~~
23 ~~or back seat~~ passenger under the age of 18 is wearing a
24 properly adjusted and fastened seat safety belt and each child
25 under the age of 8 is protected as required under the Child
26 Passenger Protection Act.

27 (g) If a graduated driver's license holder is under the age
28 of 18 when he or she receives the license, for the first 6
29 months he or she holds the license or until he or she reaches
30 the age of 18, whichever occurs sooner, the graduated license
31 holder may not operate a motor vehicle with more than one
32 passenger in the vehicle who is under the age of 20, unless any
33 additional passenger or passengers are siblings,
34 step-siblings, children, or stepchildren of the driver.

35 (Source: P.A. 93-101, eff. 1-1-04; 93-788, eff. 1-1-05.)

1 (625 ILCS 5/6-301.2) (from Ch. 95 1/2, par. 6-301.2)

2 Sec. 6-301.2. Fraudulent driver's license or permit.

3 (a) (Blank).

4 (b) It is a violation of this Section for any person:

5 1. To knowingly possess any fraudulent driver's
6 license or permit;

7 2. To knowingly possess, display or cause to be
8 displayed any fraudulent driver's license or permit for the
9 purpose of obtaining any account, credit, credit card or
10 debit card from a bank, financial institution or retail
11 mercantile establishment;

12 3. To knowingly possess any fraudulent driver's
13 license or permit with the intent to commit a theft,
14 deception or credit or debit card fraud in violation of any
15 law of this State or any law of any other jurisdiction;

16 4. To knowingly possess any fraudulent driver's
17 license or permit with the intent to commit any other
18 violation of any laws of this State or any law of any other
19 jurisdiction for which a sentence to a term of imprisonment
20 in a penitentiary for one year or more is provided;

21 5. To knowingly possess any fraudulent driver's
22 license or permit while in unauthorized possession of any
23 document, instrument or device capable of defrauding
24 another;

25 6. To knowingly possess any fraudulent driver's
26 license or permit with the intent to use the license or
27 permit to acquire any other identification document;

28 7. To knowingly possess without authority any driver's
29 license-making or permit-making implement;

30 8. To knowingly possess any stolen driver's
31 license-making or permit-making implement or to possess,
32 use, or allow to be used any materials, hardware, or
33 software specifically designed for or primarily used in the
34 manufacture, assembly, issuance, or authentication of an
35 official driver's license or permit issued by the Secretary
36 of State;

1 9. To knowingly duplicate, manufacture, sell or
2 transfer any fraudulent driver's license or permit;

3 10. To advertise or distribute any information or
4 materials that promote the selling, giving, or furnishing
5 of a fraudulent driver's license or permit;

6 11. To knowingly use any fraudulent driver's license or
7 permit to purchase or attempt to purchase any ticket for a
8 common carrier or to board or attempt to board any common
9 carrier. As used in this Section, "common carrier" means
10 any public or private provider of transportation, whether
11 by land, air, or water;

12 12. To knowingly possess any fraudulent driver's
13 license or permit if the person has at the time a different
14 driver's license issued by the Secretary of State or
15 another official driver's license agency in another
16 jurisdiction that is suspended or revoked.

17 (b-1) It is a violation of this Section for any person to
18 possess, use, or allow to be used any materials, hardware, or
19 software specifically designed for or primarily used in the
20 reading of encrypted language from the bar code or magnetic
21 strip of an official Illinois Identification Card or Illinois
22 Disabled Person Identification Card issued by the Secretary of
23 State. This subsection (b-1) does not apply if a federal or
24 State law, rule, or regulation requires that the card holder's
25 address be recorded in specified transactions or if the
26 encrypted information is obtained for the detection or possible
27 prosecution of criminal offenses or fraud. If the address
28 information is obtained under this subsection (b-1), it may be
29 used only for the purposes authorized by this subsection (b-1).

30 (c) Sentence.

31 1. Any person convicted of a violation of paragraph 1
32 of subsection (b) of this Section shall be guilty of a
33 Class 4 felony and shall be sentenced to a minimum fine of
34 \$500 or 50 hours of community service, preferably at an
35 alcohol abuse prevention program, if available.

36 2. Any person convicted of a violation of any of

1 paragraphs 2 through 9 or paragraph 11 or 12 of subsection
2 (b) of this Section or a violation of subsection (b-1) of
3 this Section shall be guilty of a Class 4 felony. A person
4 convicted of a second or subsequent violation shall be
5 guilty of a Class 3 felony.

6 3. Any person convicted of a violation of paragraph 10
7 of subsection (b) of this Section shall be guilty of a
8 Class B misdemeanor.

9 (d) This Section does not prohibit any lawfully authorized
10 investigative, protective, law enforcement or other activity
11 of any agency of the United States, State of Illinois or any
12 other state or political subdivision thereof.

13 (e) The Secretary may request the Attorney General to seek
14 a restraining order in the circuit court against any person who
15 violates this Section by advertising fraudulent driver's
16 licenses or permits.

17 (Source: P.A. 92-673, eff. 1-1-03; 93-667, eff. 3-19-04;
18 93-895, eff. 1-1-05.)

19 (625 ILCS 5/7-315) (from Ch. 95 1/2, par. 7-315)

20 Sec. 7-315. A certificate of insurance proof.

21 (a) Proof of financial responsibility may be made by filing
22 with the Secretary of State the written or electronic
23 certificate of any insurance carrier duly authorized to do
24 business in this State, certifying that it has issued to or for
25 the benefit of the person furnishing such proof and named as
26 the insured in a motor vehicle liability policy, a motor
27 vehicle liability policy or policies or in certain events an
28 operator's policy meeting the requirements of this Code and
29 that said policy or policies are then in full force and effect.
30 All written or electronic certificates must be submitted in a
31 manner satisfactory to the Secretary of State.

32 (b) Such certificate or certificates shall give the dates
33 of issuance and expiration of such policy or policies and
34 certify that the same shall not be canceled unless 15 days'
35 prior written or electronic notice thereof be given to the

1 Secretary of State and shall explicitly describe all motor
2 vehicles covered thereby unless the policy or policies are
3 issued to a person who is not the owner of a motor vehicle.

4 (c) The Secretary of State shall not accept any certificate
5 or certificates unless the same shall cover all motor vehicles
6 then registered in this State in the name of the person
7 furnishing such proof as owner and an additional certificate or
8 certificates shall be required as a condition precedent to the
9 subsequent registration of any motor vehicle or motor vehicles
10 in the name of the person giving such proof as owner.

11 (Source: P.A. 90-774, eff. 8-14-98.)

12 (625 ILCS 5/7-318) (from Ch. 95 1/2, par. 7-318)

13 Sec. 7-318. Notice of Cancellation or Termination of
14 Certified Policy. When an insurance carrier has certified a
15 motor vehicle liability policy or policies under this Act, it
16 shall notify the Secretary of State of any cancellation by
17 mailing a written or electronic notice at least 15 days prior
18 to cancellation of such policy and the policy shall continue in
19 full force and effect until the date of cancellation specified
20 in such notice or until its expiration, except that such a
21 policy subsequently procured and certified shall, on the
22 effective date of its certification, terminate the insurance
23 previously certified with respect to any vehicle designated in
24 both certificates. All written or electronic certificates must
25 be submitted in a manner satisfactory to the Secretary of
26 State.

27 (Source: P.A. 86-549.)

28 (625 ILCS 5/7-503) (from Ch. 95 1/2, par. 7-503)

29 Sec. 7-503. Unclaimed Security Deposits.

30 During July, annually, the Secretary shall compile a list
31 of all securities on deposit, pursuant to this Article, for
32 more than 3 years and concerning which he has received no
33 notice as to the pendency of any judicial proceeding that could
34 affect the disposition thereof. Thereupon, he shall promptly

1 send a notice ~~by certified mail~~ to the last known address of
2 each depositor advising him that his deposit will be subject to
3 escheat to the State of Illinois if not claimed within 30 days
4 after the mailing date of such notice. At the expiration of
5 such time, the Secretary of State shall file with the State
6 Treasurer an order directing the transfer of such deposit to
7 the general revenue fund in the State Treasury. Upon receipt of
8 such order, the State Treasurer shall make such transfer, after
9 converting to cash any other type of security. Thereafter any
10 person having a legal claim against such deposit may enforce it
11 by appropriate proceedings in the Court of Claims subject to
12 the limitations prescribed for such Court. At the expiration of
13 such limitation period such deposit shall escheat to the State
14 of Illinois.

15 (Source: P.A. 76-1586.)

16 (625 ILCS 5/12-603.1) (from Ch. 95 1/2, par. 12-603.1)

17 Sec. 12-603.1. Driver and passenger required to use safety
18 belts, exceptions and penalty.

19 (a) Each driver and front seat passenger of a motor vehicle
20 operated on a street or highway in this State shall wear a
21 properly adjusted and fastened seat safety belt; except that, a
22 child less than 8 ~~6~~ years of age shall be protected as required
23 pursuant to the Child Passenger Protection Act. Each driver
24 under the age of 18 years and each of the driver's passengers
25 under the age of 18 years of a motor vehicle operated on a
26 street or highway in this State shall wear a properly adjusted
27 and fastened seat safety belt. Each driver of a motor vehicle
28 transporting a child 8 ~~6~~ years of age or more, but less than 16
29 years of age, ~~in the front seat of the motor vehicle~~ shall
30 secure the child in a properly adjusted and fastened seat
31 safety belt as required under the Child Passenger Protection
32 Act.

33 (b) Paragraph (a) shall not apply to any of the following:

34 1. A driver or passenger frequently stopping and
35 leaving the vehicle or delivering property from the

1 vehicle, if the speed of the vehicle between stops does not
2 exceed 15 miles per hour.

3 2. A driver or passenger possessing a written statement
4 from a physician that such person is unable, for medical or
5 physical reasons, to wear a seat safety belt.

6 3. A driver or passenger possessing an official
7 certificate or license endorsement issued by the
8 appropriate agency in another state or country indicating
9 that the driver is unable for medical, physical, or other
10 valid reasons to wear a seat safety belt.

11 4. A driver operating a motor vehicle in reverse.

12 5. A motor vehicle with a model year prior to 1965.

13 6. A motorcycle or motor driven cycle.

14 7. A motorized pedalcycle.

15 8. A motor vehicle which is not required to be equipped
16 with seat safety belts under federal law.

17 9. A motor vehicle operated by a rural letter carrier
18 of the United States postal service while performing duties
19 as a rural letter carrier.

20 (c) Failure to wear a seat safety belt in violation of this
21 Section shall not be considered evidence of negligence, shall
22 not limit the liability of an insurer, and shall not diminish
23 any recovery for damages arising out of the ownership,
24 maintenance, or operation of a motor vehicle.

25 (d) A violation of this Section shall be a petty offense
26 and subject to a fine not to exceed \$25.

27 (e) (Blank).

28 (f) A law enforcement officer may not search or inspect a
29 motor vehicle, its contents, the driver, or a passenger solely
30 because of a violation of this Section.

31 (Source: P.A. 93-99, eff. 7-3-03.)

32 (625 ILCS 5/3-822 rep.) (from Ch. 95 1/2, par. 3-822)

33 Section 15. The Illinois Vehicle Code is amended by
34 repealing Section 3-822.

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625 ILCS 5/3-401	from Ch. 95 1/2, par. 3-401
625 ILCS 5/3-412	from Ch. 95 1/2, par. 3-412
625 ILCS 5/3-416	from Ch. 95 1/2, par. 3-416
625 ILCS 5/3-704	from Ch. 95 1/2, par. 3-704
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