



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2371

Introduced 2/19/2009, by Rep. John E. Bradley

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-707

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

Amends the Illinois Vehicle Code. Provides that the offense of operation of uninsured motor vehicle causing bodily harm occurs when a person operates a motor vehicle in violation of the mandatory liability insurance provision of the Code and causes bodily harm to another person that was the proximate result of the driver's operation of the motor vehicle. Provides that the offense of operation of uninsured motor vehicle causing bodily harm is a Class A misdemeanor. Provides that the amendatory Act may be referred to as the Michael Dean Law.

LRB096 10279 AJT 20449 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning transportation, which may be referred to
2 as the Michael Dean Law.

3 **Be it enacted by the People of the State of Illinois,**
4 **represented in the General Assembly:**

5 Section 5. The Illinois Vehicle Code is amended by changing
6 Section 3-707 as follows:

7 (625 ILCS 5/3-707) (from Ch. 95 1/2, par. 3-707)

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

9 (a) No person shall operate a motor vehicle unless the
10 motor vehicle is covered by a liability insurance policy in
11 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 he or she:

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

16 (2) causes bodily harm to another person that was the
17 proximate result of the driver's operation of the motor
18 vehicle.

19 (a-6) Operation of uninsured motor vehicle causing bodily
20 harm under subsection (a-5) is a Class A misdemeanor.

21 (b) Any person who fails to comply with a request by a law
22 enforcement officer for display of evidence of insurance, as
23 required under Section 7-602 of this Code, shall be deemed to

1 be operating an uninsured motor vehicle.

2 (c) Except as provided in subsection (c-5), any operator of
3 a motor vehicle subject to registration under this Code who is
4 convicted of violating this Section is guilty of a business
5 offense and shall be required to pay a fine in excess of \$500,
6 but not more than \$1,000. However, no person charged with
7 violating this Section shall be convicted if such person
8 produces in court satisfactory evidence that at the time of the
9 arrest the motor vehicle was covered by a liability insurance
10 policy in accordance with Section 7-601 of this Code. The chief
11 judge of each circuit may designate an officer of the court to
12 review the documentation demonstrating that at the time of
13 arrest the motor vehicle was covered by a liability insurance
14 policy in accordance with Section 7-601 of this Code.

15 (c-1) A person convicted of violating this Section shall
16 also have his or her driver's license, permit, or privileges
17 suspended for 3 months. After the expiration of the 3 months,
18 the person's driver's license, permit, or privileges shall not
19 be reinstated until he or she has paid a reinstatement fee of
20 \$100. If a person violates this Section while his or her
21 driver's license, permit, or privileges are suspended under
22 this subsection (c-1), his or her driver's license, permit, or
23 privileges shall be suspended for an additional 6 months and
24 until he or she pays the reinstatement fee.

25 (c-5) A person who (i) has not previously been convicted of
26 or received a disposition of court supervision for violating

1 this Section and (ii) produces at his or her court appearance
2 satisfactory evidence that the motor vehicle is covered, as of
3 the date of the court appearance, by a liability insurance
4 policy in accordance with Section 7-601 of this Code shall, for
5 a violation of this Section, other than a violation of
6 subsection (a-5), pay a fine of \$100 and receive a disposition
7 of court supervision. The person must, on the date that the
8 period of court supervision is scheduled to terminate, produce
9 satisfactory evidence that the vehicle was covered by the
10 required liability insurance policy during the entire period of
11 court supervision.

12 An officer of the court designated under subsection (c) may
13 also review liability insurance documentation under this
14 subsection (c-5) to determine if the motor vehicle is, as of
15 the date of the court appearance, covered by a liability
16 insurance policy in accordance with Section 7-601 of this Code.
17 The officer of the court shall also determine, on the date the
18 period of court supervision is scheduled to terminate, whether
19 the vehicle was covered by the required policy during the
20 entire period of court supervision.

21 (d) A person convicted a third or subsequent time of
22 violating this Section or a similar provision of a local
23 ordinance must give proof to the Secretary of State of the
24 person's financial responsibility as defined in Section 7-315.
25 The person must maintain the proof in a manner satisfactory to
26 the Secretary for a minimum period of 3 years after the date

1 the proof is first filed. The Secretary must suspend the
2 driver's license of any person determined by the Secretary not
3 to have provided adequate proof of financial responsibility as
4 required by this subsection.

5 (Source: P.A. 94-1035, eff. 7-1-07; 95-211, eff. 1-1-08;
6 95-686, eff. 6-1-08; 95-876, eff. 8-21-08.)