



Sen. Pamela J. Althoff

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LRB096 16332 AJT 37557 a

1 AMENDMENT TO SENATE BILL 3091

2 AMENDMENT NO. _____. Amend Senate Bill 3091 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Snowmobile Registration and Safety Act is
5 amended by changing Sections 3-1, 3-2, 3-5, 3-8, 3-11, and 9-2
6 and by adding Sections 3-12 and 3-13 as follows:

7 (625 ILCS 40/3-1) (from Ch. 95 1/2, par. 603-1)

8 Sec. 3-1. Operation of Unnumbered Snowmobiles.

9 (a) Except as hereinafter provided, no person who is a
10 resident of this State shall, after the effective date of this
11 Act, operate any snowmobile within this State unless such
12 snowmobile has been registered and numbered in accordance with
13 the provisions of this Article, and unless (1) the certificate
14 of number awarded to such snowmobile is in full force and
15 effect. A person who is not a resident of this State and who
16 operates a snowmobile within this State may register that

1 snowmobile in this State, but in the event that he or she does
2 not, and he or she is not otherwise exempt under subsection (c)
3 of Section 3-12 of this Article, he or she must obtain and
4 display a trail use sticker in accordance with Section 3-12 of
5 this Article.

6 (b) A person convicted of violating this Section is guilty
7 of a petty offense.

8 (Source: P.A. 81-702.)

9 (625 ILCS 40/3-2) (from Ch. 95 1/2, par. 603-2)

10 Sec. 3-2. Identification Number Application. The owner of
11 each snowmobile requiring numbering by this State shall file an
12 application for number with the Department on forms approved by
13 it. The application shall be signed by the owner of the
14 snowmobile and shall be accompanied by a fee of \$30 ~~\$18~~. When a
15 snowmobile dealer sells a snowmobile the dealer shall, at the
16 time of sale, require the buyer to complete an application for
17 the registration certificate, collect the required fee and mail
18 the application and fee to the Department no later than 14 days
19 after the date of sale. Combination application-receipt forms
20 shall be provided by the Department and the dealer shall
21 furnish the buyer with the completed receipt showing that
22 application for registration has been made. This completed
23 receipt shall be in the possession of the user of the
24 snowmobile until the registration certificate is received. No
25 snowmobile dealer may charge an additional fee to the buyer for

1 performing this service required under this subsection.
2 However, no purchaser exempted under Section 3-11 of this Act
3 shall be charged any fee or be subject to the other
4 requirements of this Section. The application form shall so
5 state in clear language the requirements of this Section and
6 the penalty for violation near the place on the application
7 form provided for indicating the intention to register in
8 another jurisdiction. Each dealer shall maintain, for one year,
9 a record in a form prescribed by the Department for each
10 snowmobile sold. These records shall be open to inspection by
11 the Department. Upon receipt of the application in approved
12 form the Department shall enter the same upon the records of
13 its office and issue to the applicant a certificate of number
14 stating the number awarded to the snowmobile and the name and
15 address of the owner.

16 For the registration years beginning on or after January 1,
17 2017, the application shall be signed by the owner of the
18 snowmobile and shall be accompanied by a fee of \$45.

19 (Source: P.A. 92-174, eff. 7-26-01.)

20 (625 ILCS 40/3-5) (from Ch. 95 1/2, par. 603-5)

21 Sec. 3-5. Transfer of Identification Number. The purchaser
22 of a snowmobile shall, within 15 days after acquiring same,
23 make application to the Department for the transfer to him of
24 the certificate of number issued to the snowmobile, giving his
25 name, his address and the number of the snowmobile. The

1 purchaser shall apply for a transfer-renewal for a fee of \$30
2 ~~\$18~~ for approximately 3 years. All transfers will bear
3 September 30 expiration dates in the calendar year of
4 expiration. Upon receipt of the application and fee, the
5 Department shall transfer the certificate of number issued to
6 the snowmobile to the new owner. Unless the application is made
7 and fee paid within 30 days, the snowmobile shall be deemed to
8 be without certificate of number and it shall be unlawful for
9 any person to operate the snowmobile until the certificate is
10 issued.

11 For the registration years beginning on or after January 1,
12 2017, the purchaser shall apply for a transfer-renewal for a
13 fee of \$45 for approximately 3 years.

14 (Source: P.A. 92-174, eff. 7-26-01.)

15 (625 ILCS 40/3-8) (from Ch. 95 1/2, par. 603-8)

16 Sec. 3-8. Certificate of Number. Every certificate of
17 number awarded under this Act shall continue in full force and
18 effect for approximately 3 years unless sooner terminated or
19 discontinued in accordance with this Act. All new certificates
20 issued will bear September 30 expiration dates in the calendar
21 year 3 years after the issuing date. Provided however, that the
22 Department may, for purposes of implementing this Section,
23 adopt rules for phasing in the issuance of new certificates and
24 provide for 1, 2 or 3 year expiration dates and pro-rated
25 payments or charges for each registration.

1 All certificates shall be renewed for 3 years from the
2 nearest September 30 for a fee of \$30 ~~\$18~~. All certificates
3 will be considered invalid after October 15 of the year of
4 expiration. All certificates expiring in a given year shall be
5 renewed between April 1 and September 30 of that year, in order
6 to allow sufficient time for processing.

7 The Department shall issue "registration expiration
8 decals" with all new certificates of number, all certificates
9 of number transferred and renewed, and all certificates of
10 number renewed. The decals issued for each year shall be of a
11 different and distinct color from the decals of each year
12 currently displayed. The decals shall be affixed to each side
13 of the cowling of the snowmobile in the manner prescribed by
14 the rules and regulations of the Department. The Department
15 shall fix a day and month of the year on which certificates of
16 number due to expire shall lapse and no longer be of any force
17 and effect unless renewed pursuant to this Act.

18 No number or registration expiration decal, except a
19 sticker or number which may be required by a political
20 subdivision, municipality, or state, other than the
21 registration expiration decal issued to a snowmobile or granted
22 reciprocity pursuant to this Act, shall be painted, attached,
23 or otherwise displayed on either side of the cowling of such
24 snowmobile.

25 A dealer engaged in the manufacture, sale, or leasing of
26 snowmobiles required to be numbered hereunder, upon

1 application to the Department upon forms prescribed by it, may
2 obtain certificates of number for use in the testing or
3 demonstrating of such snowmobiles upon payment of \$30 ~~\$18~~ for
4 each registration. Certificates of number so issued may be used
5 by the applicant in the testing or demonstrating of snowmobiles
6 by temporary placement of the registration expiration decals
7 assigned by such certificates on the snowmobile so tested or
8 demonstrated.

9 For the registration years beginning on or after January 1,
10 2017, every certificate of number awarded under this Section
11 shall be accompanied by a fee of \$45.

12 (Source: P.A. 92-174, eff. 7-26-01.)

13 (625 ILCS 40/3-11) (from Ch. 95 1/2, par. 603-11)

14 Sec. 3-11. Exception from numbering provisions of this
15 Act.) A snowmobile shall not be required to be numbered under
16 this Act if it is:

17 A. Owned and used by the United States, another state, or a
18 political subdivision thereof, but such snowmobiles shall
19 display the name of the owner on the cowling thereof.

20 B. (Blank). ~~Covered by a valid registration or license of~~
21 ~~another state, province or country which is the domicile of the~~
22 ~~owner of the snowmobile and is not operated within this State~~
23 ~~on more than 30 consecutive days in any calendar year.~~

24 C. Owned and operated on lands owned by the owner or
25 operator or on lands to which he has a contractual right other

1 than as a member of a club or association, provided the
2 snowmobile is not operated elsewhere within the state.

3 D. Used only on international or national competition
4 circuits in events for which written permission has been
5 obtained by the sponsoring or sanctioning body from the
6 governmental unit having jurisdiction over the location of any
7 event held in this State.

8 E. Owned by persons domiciled in Illinois but used entirely
9 in another jurisdiction when such owner has complied with the
10 provisions of Section 3-2 of this Act.

11 F. Designed for use by small children primarily as a toy
12 and used only on private property and not on any public use
13 trail.

14 (Source: P.A. 92-174, eff. 7-26-01.)

15 (625 ILCS 40/3-12 new)

16 Sec. 3-12. Trail use stickers.

17 (a) Except as provided in subsection (c) of this Section, a
18 person who is not a resident of this State shall not operate a
19 snowmobile in this State unless a numbered trail use sticker
20 issued under this Section is displayed on the snowmobile.

21 (b) The fee for a trail use sticker issued for a snowmobile
22 under subsection (a) of this Section is \$25 per registration
23 year. A trail use sticker issued for such a snowmobile may be
24 issued only by the Department and persons appointed by the
25 Department and expires on June 30 of each registration year.

1 (c) A snowmobile that is registered and numbered in
2 accordance with the provisions of this Article or that is
3 exempt from registration under Section 3-11 of this Article is
4 exempt from having a trail use sticker displayed under
5 subsection (a) of this Section.

6 (d) The Department may appoint any person who is not an
7 employee of the Department as the Department's agent to issue
8 trail use stickers and collect the fees for the stickers.

9 (e) The Department shall establish by rule procedures for
10 issuing trail use stickers, and the Department may promulgate
11 rules regulating the activities of persons who are authorized
12 to be agents under this Section.

13 (625 ILCS 40/3-13 new)

14 Sec. 3-13. Mandatory liability insurance.

15 (a) Other than a person operating a snowmobile on their own
16 property, no person shall operate, register, or maintain
17 registration of, and no owner shall permit another person to
18 operate, register or maintain registration of, a snowmobile in
19 this State unless the snowmobile is covered by a liability
20 insurance policy.

21 The insurance policy shall be issued in amounts no less
22 than the minimum amounts set for bodily injury or death and for
23 destruction of property under Section 7-203 of the Illinois
24 Vehicle Code, and shall be issued in accordance with the
25 requirements of Sections 143a and 143a-2 of the Illinois

1 Insurance Code, as amended. No insurer other than an insurer
2 authorized to do business in this State shall issue a policy
3 pursuant to this Section for any snowmobile subject to
4 registration and numbering under this Act. Nothing herein shall
5 deprive an insurer of any policy defense available at common
6 law.

7 (b) Proof of insurance as required by this Section shall be
8 produced and displayed by the owner or operator of the
9 snowmobile upon request to any law enforcement officer or to
10 any person who has suffered or claims to have suffered either
11 personal injury or property damage as a result of the operation
12 of the snowmobile by the owner or operator.

13 (c) Except as provided in subsection (d), any operator of a
14 snowmobile subject to registration and numbering under this Act
15 who is convicted of violating subsection (a) of this Section is
16 guilty of a petty offense. However, no person charged with
17 violating this Section shall be convicted if such person
18 produces in court satisfactory evidence that at the time of the
19 arrest the snowmobile was covered by a liability insurance
20 policy in accordance with subsection (a) of this Section. The
21 chief judge of each circuit may designate an officer of the
22 court to review the documentation demonstrating that at the
23 time of arrest the snowmobile was covered by a liability
24 insurance policy in accordance with subsection (a) of this
25 Section.

26 (d) A person who (i) has not previously been convicted of

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

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

22 (625 ILCS 40/9-2) (from Ch. 95 1/2, par. 609-2)

23 Sec. 9-2. Special fund. There is created a special fund in
24 the State Treasury to be known as the Snowmobile Trail
25 Establishment Fund. Fifty ~~Thirty three~~ percent of each new,

1 transfer-renewal, ~~and~~ renewal registration, and trail use
2 sticker fee collected under Sections 3-2, 3-5, ~~and~~ 3-8, and
3 3-12 of this Act shall be deposited in the fund. The fund shall
4 be administered by the Department and shall be used for
5 disbursement, upon written application to and subsequent
6 approval by the Department, to nonprofit snowmobile clubs and
7 organizations for construction, maintenance, and
8 rehabilitation of snowmobile trails and areas for the use of
9 snowmobiles, including plans and specifications, engineering
10 surveys and supervision where necessary. The Department shall
11 promulgate such rules or regulations as it deems necessary for
12 the administration of the fund. The Snowmobile Trail
13 Establishment Fund shall not be subject to sweeps,
14 administrative charges or chargebacks, such as but not limited
15 to those authorized under Section 8h of the State Finance Act,
16 or any other fiscal or budgetary maneuver that would in any way
17 result in the transfer of any funds from the Snowmobile Trail
18 Establishment Fund to any other fund of the State.

19 (Source: P.A. 92-174, eff. 7-26-01.)

20 Section 99. Effective date. This Act takes effect April 1,
21 2011."