

# HB2538



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB2538

Introduced 2/18/2015, by Rep. Michael W. Tryon

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/7-604

from Ch. 95 1/2, par. 7-604

Amends the Illinois Vehicle Code. Provides that if the Secretary of State sends requests for information regarding liability insurance coverage to the owners of motor vehicles, these requests must be sent by certified mail. Changes the repeal date of this Section to December 31, 2016.

LRB099 06611 RJF 26684 b

FISCAL NOTE ACT  
MAY APPLY

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 changing  
5 Section 7-604 as follows:

6 (625 ILCS 5/7-604) (from Ch. 95 1/2, par. 7-604)

7 (Section scheduled to be repealed on December 31, 2015)

8 Sec. 7-604. Verification of liability insurance policy.

9 (a) The Secretary of State may select random samples of  
10 registrations of motor vehicles subject to Section 7-601 of  
11 this Code, or owners thereof, for the purpose of verifying  
12 whether or not the motor vehicles are insured.

13 In addition to such general random samples of motor vehicle  
14 registrations, the Secretary may select for verification other  
15 random samples, including, but not limited to registrations of  
16 motor vehicles owned by persons:

17 (1) whose motor vehicle registrations during the  
18 preceding 4 years have been suspended pursuant to Section  
19 7-606 or 7-607 of this Code;

20 (2) who during the preceding 4 years have been  
21 convicted of violating Section 3-707, 3-708 or 3-710 of  
22 this Code while operating vehicles owned by other persons;

23 (3) whose driving privileges have been suspended

1 during the preceding 4 years;

2 (4) who during the preceding 4 years acquired ownership  
3 of motor vehicles while the registrations of such vehicles  
4 under the previous owners were suspended pursuant to  
5 Section 7-606 or 7-607 of this Code; or

6 (5) who during the preceding 4 years have received a  
7 disposition of supervision under subsection (c) of Section  
8 5-6-1 of the Unified Code of Corrections for a violation of  
9 Section 3-707, 3-708, or 3-710 of this Code.

10 (b) Upon receiving certification from the Department of  
11 Transportation under Section 7-201.2 of this Code of the name  
12 of an owner or operator of any motor vehicle involved in an  
13 accident, the Secretary may verify whether or not at the time  
14 of the accident such motor vehicle was covered by a liability  
15 insurance policy in accordance with Section 7-601 of this Code.

16 (c) In preparation for selection of random samples and  
17 their verification, the Secretary may send to owners of  
18 randomly selected motor vehicles, or to randomly selected motor  
19 vehicle owners, requests for information about their motor  
20 vehicles and liability insurance coverage. The request shall  
21 require the owner to state whether or not the motor vehicle was  
22 insured on the verification date stated in the Secretary's  
23 request and the request may require, but is not limited to, a  
24 statement by the owner of the names and addresses of insurers,  
25 policy numbers, and expiration dates of insurance coverage.  
26 These requests must be sent by certified mail.

1           (d) Within 30 days after the Secretary mails a request, the  
2 owner to whom it is sent shall furnish the requested  
3 information to the Secretary above the owner's signed  
4 affirmation that such information is true and correct. Proof of  
5 insurance in effect on the verification date, as prescribed by  
6 the Secretary, may be considered by the Secretary to be a  
7 satisfactory response to the request for information.

8           Any owner whose response indicates that his or her vehicle  
9 was not covered by a liability insurance policy in accordance  
10 with Section 7-601 of this Code shall be deemed to have  
11 registered or maintained registration of a motor vehicle in  
12 violation of that Section. Any owner who fails to respond to  
13 such a request shall be deemed to have registered or maintained  
14 registration of a motor vehicle in violation of Section 7-601  
15 of this Code.

16           (e) If the owner responds to the request for information by  
17 asserting that his or her vehicle was covered by a liability  
18 insurance policy on the verification date stated in the  
19 Secretary's request, the Secretary may conduct a verification  
20 of the response by furnishing necessary information to the  
21 insurer named in the response. The insurer shall within 45 days  
22 inform the Secretary whether or not on the verification date  
23 stated the motor vehicle was insured by the insurer in  
24 accordance with Section 7-601 of this Code. The Secretary may  
25 by rule and regulation prescribe the procedures for  
26 verification.

1           (f) No random sample selected under this Section shall be  
2 categorized on the basis of race, color, religion, sex,  
3 national origin, ancestry, age, marital status, physical or  
4 mental disability, economic status or geography.

5           (g) This Section is repealed on December 31, 2016 ~~2015~~.

6           (Source: P.A. 98-787, eff. 7-25-14.)