



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB3395

by Rep. Brandon W. Phelps

#### SYNOPSIS AS INTRODUCED:

625 ILCS 28/5  
625 ILCS 28/10

Amends the Uninsured Motorist Verification Advisory Committee Act. Provides that the Uninsured Motorist Verification Advisory Committee shall include technology experts, among other committee members, to assist in the design and implementation of a program for the electronic verification of motor vehicle liability insurance. Requires the committee to report to the General Assembly, on or before January 31, 2016 (rather than 2015), with recommendations for the design and funding of a program for the electronic verification of motor vehicle liability insurance policies issued and in effect in the State and legislation to implement the program. Extends the repeal date of the Uninsured Motorist Verification Advisory Committee Act to July 1, 2017 (rather than 2016).

LRB099 09063 RJF 29252 b

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 Uninsured Motorist Verification Advisory  
5 Committee Act is amended by changing Sections 5 and 10 as  
6 follows:

7 (625 ILCS 28/5)

8 (Section scheduled to be repealed on July 1, 2016)

9 Sec. 5. Uninsured Motorist Verification Advisory  
10 Committee.

11 (a) The Secretary shall establish and appoint an Uninsured  
12 Motorist Verification Advisory Committee consisting of  
13 representatives of the Department of Insurance, insurance  
14 companies authorized to sell motor vehicle liability insurance  
15 policies in this State, insurance producers, technology  
16 experts, and other interested parties as designated by the  
17 Secretary, to assist in the design and implementation of a  
18 program for the electronic verification of motor vehicle  
19 liability insurance for motor vehicles that are subject to  
20 Section 7-601 of the Illinois Vehicle Code.

21 (b) The Uninsured Motorist Verification Advisory Committee  
22 shall report to the General Assembly, on or before January 31,  
23 2016 ~~2015~~, with recommendations for the design and funding of a

1 program for the electronic verification of motor vehicle  
2 liability insurance policies issued and in effect in the State  
3 and legislation to implement the program that includes at a  
4 minimum the elements in subsection (d) of this Section.

5 (c) Based on the recommendations of the Uninsured Motorist  
6 Verification Advisory Committee, the Secretary shall adopt  
7 rules to implement a program for the electronic verification of  
8 motor vehicle liability insurance by July ~~January~~ 1, 2016 if  
9 and only if appropriations are made funding the electronic  
10 verification database as recommended by the Uninsured Motorist  
11 Advisory Committee.

12 (d) The electronic motor vehicle liability insurance  
13 verification program shall have the following elements:

14 (1) a requirement that insurance companies authorized  
15 to sell motor vehicle liability insurance in the State make  
16 available, in a format designated by the Secretary, the  
17 following information for each motor vehicle liability  
18 insurance policy issued by the company:

19 (A) the name of policy holder;

20 (B) the make, model, year and vehicle  
21 identification number of the covered vehicle;

22 (C) the policy number;

23 (D) the effective date of the policy; and

24 (E) the company's National Association of  
25 Insurance Commissioners number;

26 (2) a method of searching for motor vehicle liability

1 insurance policies issued and in effect in the State by the  
2 keys indicated in paragraph (1) of this subsection;

3 (3) a requirement that the Secretary verify the  
4 existence of a liability insurance policy as required by  
5 Section 7-601 of the Illinois Vehicle Code for every motor  
6 vehicle registered in the Secretary's office at least once  
7 every 12 months;

8 (4) a provision that if the Secretary is unable to  
9 verify the existence of a liability insurance policy, then  
10 the vehicle owner shall be sent a written notice giving the  
11 owner 30 calendar days to provide evidence that the vehicle  
12 was insured on the date of the attempted verification of  
13 insurance, or evidence that the vehicle is no longer  
14 operable;

15 (5) a provision that any vehicle owner who fails to  
16 respond, or whose response indicates that his or her  
17 operable vehicle was not covered by a liability insurance  
18 policy in accordance with Section 7-601 of the Illinois  
19 Vehicle Code, shall be deemed to have registered or  
20 maintained registration of a motor vehicle in violation of  
21 that Section, and the Secretary shall suspend the  
22 registration of the vehicle; the vehicle owner shall be  
23 required to pay a reinstatement fee of \$100 and provide  
24 proof of current insurance before the registration may be  
25 reinstated under Section 7-606 of the Illinois Vehicle  
26 Code; and

1           (6) a provision that if the owner responds to the  
2 request for information by asserting that his or her  
3 vehicle was covered by a liability insurance policy on the  
4 date of verification stated in the Secretary's request,  
5 then the Secretary may conduct a verification of the  
6 response by furnishing the necessary information to the  
7 insurer named in the response; the insurer shall within 7  
8 calendar days inform the Secretary whether or not on the  
9 date of verification the motor vehicle was insured by the  
10 insurer in accordance with Section 7-601 of the Illinois  
11 Vehicle Code; if the insurer does not confirm insurance was  
12 in effect on the verification date, then the Secretary  
13 shall suspend the owner's registration of the vehicle; the  
14 vehicle owner shall be required to pay a reinstatement fee  
15 of \$100 and provide proof of current insurance before the  
16 registration may be reinstated under Section 7-606 of the  
17 Illinois Vehicle Code.

18           (e) In addition to the annual verification of liability  
19 insurance the Secretary may select for verification other  
20 vehicles, including, but not limited to, motor vehicles owned  
21 or registered by persons:

22           (1) whose motor vehicle registrations during the  
23 preceding 4 years have been suspended under Section 7-606  
24 or 7-607 of the Illinois Vehicle Code;

25           (2) who during the preceding 4 years have been  
26 convicted of violating Section 3-707, 3-708, or 3-710 of

1 the Illinois Vehicle Code while operating vehicles owned by  
2 other persons;

3 (3) whose driving privileges have been suspended  
4 during the preceding 4 years;

5 (4) who during the preceding 4 years acquired ownership  
6 of motor vehicles while the registrations of those vehicles  
7 under the previous owners were suspended under Section  
8 7-606 or 7-607 of the Illinois Vehicle Code; or

9 (5) who during the preceding 4 years have received a  
10 disposition of supervision under subsection (c) of Section  
11 5-6-1 of the Unified Code of Corrections for a violation of  
12 Section 3-707, 3-708, or 3-710 of the Illinois Vehicle  
13 Code.

14 (f) The Secretary shall not have regulatory authority over  
15 insurance companies. Regulatory authority over insurance  
16 companies shall remain with the Department of Insurance.

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

18 (625 ILCS 28/10)

19 (Section scheduled to be repealed on July 1, 2016)

20 Sec. 10. Expiration. This Act is repealed on July 1, 2017  
21 ~~2016~~.

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