

AN ACT concerning transportation.

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

Section 5. The Illinois Vehicle Code is amended by changing Sections 7-211 and 7-214 as follows:

(625 ILCS 5/7-211) (from Ch. 95 1/2, par. 7-211)

Sec. 7-211. Duration of suspension.

(a) Unless a suspension is terminated under other provisions of this Code, the driver's license or registration and nonresident's operating privilege suspended as provided in Section 7-205 shall remain suspended and shall not be renewed nor shall any license or registration be issued to the person until:

1. The person deposits or there shall be deposited and filed on the person's behalf the security required under Section 7-201;

2. Two years have elapsed following the date the driver's license and registrations were suspended and evidence satisfactory to the Secretary of State that during the period no action for damages arising out of a motor vehicle accident has been properly filed;

3. Receipt of proper notice that the person has filed bankruptcy which would include all claims for personal

injury and property damage resulting from the accident; ~~or~~

4. After the expiration of 5 years from the date of the accident, the Secretary of State has not received documentation that any action at law for damages arising out of the motor vehicle accident has been filed against the person; or -

5. The statute of limitations has expired and the person seeking reinstatement provides evidence satisfactory to the Secretary of State that, during the statute of limitations period, no action for damages arising out of a motor vehicle accident has been properly filed.

An affidavit that no action at law for damages arising out of the motor vehicle accident has been filed against the applicant, or if filed that it is not still pending shall be prima facie evidence of that fact. The Secretary of State may take whatever steps are necessary to verify the statement set forth in the applicant's affidavit.

(b) The driver's license or registration and nonresident's operating privileges suspended as provided in Section 7-205 shall also remain suspended and shall not be renewed nor shall any license or registration be issued to the person until the person gives proof of his or her financial responsibility in the future as provided in Section 1-164.5. The proof is to be maintained by the person in a manner satisfactory to the Secretary of State for a period of 3 years after the date the

proof is first filed.

(Source: P.A. 90-264, eff. 1-1-98; 91-80, eff. 7-9-99.)

(625 ILCS 5/7-214) (from Ch. 95 1/2, par. 7-214)

Sec. 7-214. Disposition of Security. Such security shall be applicable only to the payment of a judgment or judgments, rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in question, in an action at law, begun not later than ~~two years after~~ the later of (i) the expiration of the relevant statute of limitations ~~date the driver's license and registration were suspended following the accident~~ or (ii) 2 years after the date of any default in any payment under an installment agreement for payment of damages, and such deposit or any balance thereof shall be returned to the depositor or his or her personal representative when evidence satisfactory to the Secretary of State has been filed with him:

1. that there has been a release from liability, or a final adjudication of non-liability; or
2. a duly acknowledged written agreement in accordance with Section 7-208 of this Act; or
3. whenever after the expiration of the statute of limitations ~~two years after the later of (i) the date the driver's license and registration were suspended following the accident~~ or (ii) 2 years after the date of any default in any payment under an installment agreement for payment

of damages, the Secretary of State shall be given reasonable evidence that there is no such action pending and no judgment rendered in such action left unpaid.

If, after releasing security to a judgment debtor or claimant, the balance of the security posted with the Secretary is \$5 or less, the balance shall be transferred to the General Revenue Fund. The Secretary shall compile a list of all security amounts of \$5 or less annually in July and shall certify that amount to the State Comptroller. As soon as possible after receiving the certification, the State Comptroller shall order transferred and the State Treasurer shall transfer the amount certified to the General Revenue Fund.

(Source: P.A. 98-178, eff. 1-1-14.)