

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 Sections 3-421 and 6-305 as follows:

6 (625 ILCS 5/3-421) (from Ch. 95 1/2, par. 3-421)

7 Sec. 3-421. Right of reassignment.

8 (a) Every natural person shall have the right of
9 reassignment of the license number issued to him during the
10 current registration plate term, for the ensuing registration
11 plate term, provided his application for reassignment is
12 received in the Office of the Secretary of State on or before
13 September 30 of the final year of the registration plate term
14 as to a vehicle registered on a calendar year, and on or before
15 March 31 as to a vehicle registered on a fiscal year. The right
16 of reassignment shall apply to every natural person under the
17 staggered registration system provided the application for
18 reassignment is received in the Office of the Secretary of
19 State by the 1st day of the month immediately preceding the
20 applicant's month of expiration.

21 In addition, every natural person shall have the right of
22 reassignment of the license number issued to him for a two-year
23 registration, for the ensuing two-year period. Where the

1 two-year period is for two calendar years, the application for
2 reassignment must be received by the Secretary of State on or
3 before September 30th of the year preceding commencement of the
4 two-year period. Where the two-year period is for two fiscal
5 years commencing on July 1, the application for reassignment
6 must be received by the Secretary of State on or before April
7 30th immediately preceding commencement of the two-year
8 period.

9 (b) Notwithstanding the above provision, the Secretary of
10 State shall, subject to the existing right of reassignment,
11 have the authority to designate new specific combinations of
12 numerical, alpha-numerical, and numerical-alpha licenses for
13 vehicles registered on a calendar year or on a fiscal year,
14 whether the license be issued for one or more years. The new
15 combinations so specified shall not be subject to the right of
16 reassignment, and no right of reassignment thereto may at any
17 future time be acquired.

18 (c) If a person has a registration plate in his or her name
19 and seeks to reassign the registration plate to his or her
20 spouse, the Secretary shall waive any transfer fee or vanity or
21 personalized registration plate fee upon both spouses signing a
22 form authorizing the reassignment of registration.

23 (c-1) If a person that has a registration plate in his or
24 her name seeks to reassign the registration plate to his or her
25 child, the Secretary shall waive any transfer fee or vanity or
26 personalized registration plate fee.

1 (Source: P.A. 80-230; 80-1185.)

2 (625 ILCS 5/6-305) (from Ch. 95 1/2, par. 6-305)

3 Sec. 6-305. Renting motor vehicle to another.

4 (a) No person shall rent a motor vehicle to any other
5 person unless the latter person, or a driver designated by a
6 nondriver with disabilities and meeting any minimum age and
7 driver's record requirements that are uniformly applied by the
8 person renting a motor vehicle, is then duly licensed hereunder
9 or, in the case of a nonresident, then duly licensed under the
10 laws of the State or country of his residence unless the State
11 or country of his residence does not require that a driver be
12 licensed.

13 (b) No person shall rent a motor vehicle to another until
14 he has inspected, including through electronic or digital
15 means, the driver's ~~drivers~~ license of the person to whom the
16 vehicle is to be rented, or by whom it is to be driven, and
17 ~~compared and verified the~~ license is unexpired ~~signature~~
18 ~~thereon with the signature of such person written in his~~
19 ~~presence~~ unless, in the case of a nonresident, the State or
20 country wherein the nonresident resides does not require that a
21 driver be licensed.

22 (c) No person shall rent a motorcycle to another unless the
23 latter person is then duly licensed hereunder as a motorcycle
24 operator, and in the case of a nonresident, then duly licensed
25 under the laws of the State or country of his residence, unless

1 the State or country of his residence does not require that a
2 driver be licensed.

3 (c-1) A rental car company that rents a motor vehicle shall
4 ensure that the renter is provided with an emergency telephone
5 number to personnel capable of fielding roadside assistance and
6 other customer service inquiries, including the ability to
7 provide the caller with the telephone number of the location
8 from which the vehicle was rented, if requested by the caller.
9 If an owner's manual is not available in the vehicle at the
10 time of the rental, an owner's manual for that vehicle or a
11 similar model shall be accessible by the personnel answering
12 the emergency telephone number for assistance with inquiries
13 about the operation of the vehicle.

14 (d) (Blank).

15 (e) (Blank).

16 (f) Subject to subsection (l), any person who rents a motor
17 vehicle to another shall only advertise, quote, and charge a
18 rental rate that includes the entire amount except taxes, a
19 mileage charge, and airport concession charge, if any, which a
20 renter must pay to hire or lease the vehicle for the period of
21 time to which the rental rate applies. The person must provide,
22 on the request of the renter, based on the available
23 information, an estimated total of the daily rental rate,
24 including all applicable taxes, fees, and other charges, or an
25 estimated total rental charge, based on the return date of the
26 vehicle noted on the rental agreement. Further, if the rental

1 agreement does not already provide an estimated total rental
2 charge, the following statement must be included in the rental
3 agreement:

4 "NOTICE: UNDER ILLINOIS LAW, YOU MAY REQUEST, BASED ON
5 AVAILABLE INFORMATION, AN ESTIMATED TOTAL DAILY RENTAL
6 RATE, INCLUDING TAXES, FEES, AND OTHER CHARGES, OR AN
7 ESTIMATED TOTAL RENTAL CHARGE, BASED ON THE VEHICLE RETURN
8 DATE NOTED ON THIS AGREEMENT."

9 Such person shall not charge in addition to the rental
10 rate, taxes, mileage charge, and airport concession charge, if
11 any, any fee which must be paid by the renter as a condition of
12 hiring or leasing the vehicle, such as, but not limited to,
13 required fuel or airport surcharges, nor any fee for
14 transporting the renter to the location where the rented
15 vehicle will be delivered to the renter. In addition to the
16 rental rate, taxes, mileage charge, and airport concession
17 charge, if any, such person may charge for an item or service
18 provided in connection with a particular rental transaction if
19 the renter can avoid incurring the charge by choosing not to
20 obtain or utilize the optional item or service. Items and
21 services for which such person may impose an additional charge
22 include, but are not limited to, optional insurance and
23 accessories requested by the renter, service charges incident
24 to the renter's optional return of the vehicle to a location
25 other than the location where the vehicle was hired or leased,
26 and charges for refueling the vehicle at the conclusion of the

1 rental transaction in the event the renter did not return the
2 vehicle with as much fuel as was in the fuel tank at the
3 beginning of the rental. "Airport concession charge" means a
4 charge or fee imposed and collected from a renter to reimburse
5 the motor vehicle rental company for the concession fee it is
6 required to pay to a local government corporate authority or
7 airport authority to rent motor vehicles at the airport
8 facility. The airport concession charge is in addition to any
9 customer facility charge or any other charge.

10 (f-5) A rental car company that offers a renter the
11 opportunity to use a transponder or other electronic tolling
12 device shall notify the renter of the opportunity to use the
13 device at or before the beginning of the rental agreement.

14 If a vehicle offered by a rental car company is equipped
15 with a transponder or other electronic tolling device and the
16 company fails to notify the renter of the option to use the
17 device, the rental car company shall not:

18 (1) charge a renter a fee of more than \$2 each day for
19 the use of a transponder or other electronic tolling
20 device; however, the company may recoup the actual cost
21 incurred for any toll; and

22 (2) charge a renter a daily fee on any day the renter
23 does not drive through an electronic toll or only drives
24 through an electronic toll collection system for which no
25 alternative payment option exists.

26 (g) Every person renting a motor vehicle to another shall

1 keep a record of the registration number of the motor vehicle
2 so rented, the name and address of the person to whom the
3 vehicle is rented, the number of the license, if any, of said
4 latter person, and the ~~date and place when and~~ where the
5 license, if any, was issued. Such record may be maintained in
6 an electronic or digital format, and shall be open to
7 inspection by any police officer or designated agent of the
8 Secretary of State.

9 (h) A person licensed as a new car dealer under Section
10 5-101 of this Code shall not be subject to the provisions of
11 this Section regarding the rental of private passenger motor
12 vehicles when providing, free of charge, temporary substitute
13 vehicles for customers to operate during a period when a
14 customer's vehicle, which is either leased or owned by that
15 customer, is being repaired, serviced, replaced or otherwise
16 made unavailable to the customer in accordance with an
17 agreement with the licensed new car dealer or vehicle
18 manufacturer, so long as the customer orally or in writing is
19 made aware that the temporary substitute vehicle will be
20 covered by his or her insurance policy and the customer shall
21 only be liable to the extent of any amount deductible from such
22 insurance coverage in accordance with the terms of the policy.

23 (i) This Section, except the requirements of subsection
24 (g), also applies to rental agreements of 30 continuous days or
25 less involving a motor vehicle that was delivered by an out of
26 State person or business to a renter in this State.

1 (j) A public airport may, if approved by its local
2 government corporate authorities or its airport authority,
3 impose a customer facility charge upon customers of rental car
4 companies for the purposes of financing, designing,
5 constructing, operating, and maintaining consolidated car
6 rental facilities and common use transportation equipment and
7 facilities, which are used to transport the customer,
8 connecting consolidated car rental facilities with other
9 airport facilities.

10 Notwithstanding subsection (f) of this Section, the
11 customer facility charge shall be collected by the rental car
12 company as a separate charge, and clearly indicated as a
13 separate charge on the rental agreement and invoice. Facility
14 charges shall be immediately deposited into a trust account for
15 the benefit of the airport and remitted at the direction of the
16 airport, but not more often than once per month. The charge
17 shall be uniformly calculated on a per-contract or per-day
18 basis. Facility charges imposed by the airport may not exceed
19 the reasonable costs of financing, designing, constructing,
20 operating, and maintaining the consolidated car rental
21 facilities and common use transportation equipment and
22 facilities and may not be used for any other purpose.

23 Notwithstanding any other provision of law, the charges
24 collected under this Section are not subject to retailer
25 occupation, sales, use, or transaction taxes.

26 (k) When a rental car company states a rental rate in any

1 of its rate advertisements, its proprietary computer
2 reservation systems, or its in-person quotations intended to
3 apply to an airport rental, a company that collects from its
4 customers a customer facility charge for that rental under
5 subsection (j) shall do all of the following:

6 (1) Clearly and conspicuously disclose in any radio,
7 television, or other electronic media advertisements the
8 existence and amount of the charge if the advertisement is
9 intended for rentals at an airport imposing the charge or,
10 if the advertisement covers an area with multiple airports
11 with different charges, a range of amounts of customer
12 facility charges if the advertisement is intended for
13 rentals at an airport imposing the charge.

14 (2) Clearly and conspicuously disclose in any print
15 rate advertising the existence and amount of the charge if
16 the advertisement is intended for rentals at an airport
17 imposing the charge or, if the print rate advertisement
18 covers an area with multiple airports with different
19 charges, a range of amounts of customer facility charges if
20 the advertisement is intended for rentals at an airport
21 imposing the charge.

22 (3) Clearly and conspicuously disclose the existence
23 and amount of the charge in any telephonic, in-person, or
24 computer-transmitted quotation from the rental car
25 company's proprietary computer reservation system at the
26 time of making an initial quotation of a rental rate if the

1 quotation is made by a rental car company location at an
2 airport imposing the charge and at the time of making a
3 reservation of a rental car if the reservation is made by a
4 rental car company location at an airport imposing the
5 charge.

6 (4) Clearly and conspicuously display the charge in any
7 proprietary computer-assisted reservation or transaction
8 directly between the rental car company and the customer,
9 shown or referenced on the same page on the computer screen
10 viewed by the customer as the displayed rental rate and in
11 a print size not smaller than the print size of the rental
12 rate.

13 (5) Clearly and conspicuously disclose and separately
14 identify the existence and amount of the charge on its
15 rental agreement.

16 (6) A rental car company that collects from its
17 customers a customer facility charge under subsection (j)
18 and engages in a practice which does not comply with
19 subsections (f), (j), and (k) commits an unlawful practice
20 within the meaning of the Consumer Fraud and Deceptive
21 Business Practices Act.

22 (1) Notwithstanding subsection (f), any person who rents a
23 motor vehicle to another may, in connection with the rental of
24 a motor vehicle to (i) a business renter or (ii) a business
25 program sponsor under the sponsor's business program, do the
26 following:

1 (1) separately quote, by telephone, in person, or by
2 computer transmission, additional charges for the rental;
3 and

4 (2) separately impose additional charges for the
5 rental.

6 (1-5) A person licensed under Section 5-101, 5-101.2, or
7 5-102 of this Code shall not participate in a rental-purchase
8 agreement vehicle program unless the licensee retains the
9 vehicle in his or her name and retains proof of proper vehicle
10 registration under Chapter 3 of this Code and liability
11 insurance under Section 7-601 of this Code. The licensee shall
12 transfer ownership of the vehicle to the renter within 20
13 calendar days of the agreed-upon date of completion of the
14 rental-purchase agreement. If the licensee fails to transfer
15 ownership of the vehicle to the renter within the 20 calendar
16 days, then the renter may apply for the vehicle's title to the
17 Secretary of State by providing the Secretary the
18 rental-purchase agreement, an application for title, the
19 required title fee, and any other documentation the Secretary
20 deems necessary to determine ownership of the vehicle. For
21 purposes of this subsection (1-5), "rental-purchase agreement"
22 has the meaning set forth in Section 1 of the Rental-Purchase
23 Agreement Act.

24 (m) As used in this Section:

25 (1) "Additional charges" means charges other than: (i)
26 a per period base rental rate; (ii) a mileage charge; (iii)

1 taxes; or (iv) a customer facility charge.

2 (2) "Business program" means:

3 (A) a contract between a person who rents motor
4 vehicles and a business program sponsor that
5 establishes rental rates at which the person will rent
6 motor vehicles to persons authorized by the sponsor; or

7 (B) a plan, program, or other arrangement
8 established by a person who rents motor vehicles at the
9 request of, or with the consent of, a business program
10 sponsor under which the person offers to rent motor
11 vehicles to persons authorized by the sponsor on terms
12 that are not the same as those generally offered by the
13 rental company to the public.

14 (3) "Business program sponsor" means any legal entity
15 other than a natural person, including a corporation,
16 limited liability company, partnership, government,
17 municipality or agency, or a natural person operating a
18 business as a sole proprietor.

19 (4) "Business renter" means any person renting a motor
20 vehicle for business purposes or, for any business program
21 sponsor, a person who is authorized by the sponsor to enter
22 into a rental contract under the sponsor's business
23 program. "Business renter" does not include a person
24 renting as:

25 (A) a non-employee member of a not-for-profit
26 organization;

1 (B) the purchaser of a voucher or other prepaid
2 rental arrangement from a person, including a tour
3 operator, engaged in the business of reselling those
4 vouchers or prepaid rental arrangements to the general
5 public;

6 (C) an individual whose car rental is eligible for
7 reimbursement in whole or in part as a result of the
8 person being insured or provided coverage under a
9 policy of insurance issued by an insurance company; or

10 (D) an individual whose car rental is eligible for
11 reimbursement in whole or in part as a result of the
12 person purchasing motor vehicle repair services from a
13 person licensed to perform those services.

14 (Source: P.A. 100-450, eff. 1-1-18; 100-878, eff. 1-1-19.)