**Section 2520.750 Penalties**

The Authority shall assess the registered owner of any vehicle driven through a toll plaza without the payment of the proper toll the following penalties:

a) Upon a finding of liability, the registered owner of the vehicle shall be liable for the outstanding toll, a $10 fine for each toll violation occurring on the Elgin-O'Hare Tollway and a $20 fine for each violation occurring on the remainder of the Tollway, and all applicable fees.

b) Additional Fine

1) Upon the failure of the registered owner to pay the toll, fine and/or fee to the Authority within 30 days after notice of a final order of liability, the Authority shall assess the registered owner an additional fine of $25 for violations occurring on the Elgin-O'Hare Tollway and $50 for violations occurring on the remainder of the Tollway. This additional fine shall apply to each violation without further notice or order.

2) Pilot Program

Notwithstanding the requirement of subsection (a), the Authority Board may establish by Resolution a temporary program under which the $50 additional fine for any or all classes of vehicles is suspended for the time period specified in the Resolution. After that period, the Board will determine whether the additional fine policy will be discontinued, modified or continued and this Section will be amended to reflect that decision.

c) Upon failure of a registered owner of a vehicle to satisfy any toll, fine or fee resulting from a final order or orders of liability relating to 5 or more toll violations, the Authority shall notify the Secretary of State to suspend the registered owner's vehicle registration and/or driver's license.

1) A prerequisite to the suspension of vehicle registration and/or driver's license by the Secretary of State, under 625 ILCS 5/3-704.2 or 6-306.7, shall be the submission to the Secretary of State, by the Authority, of a Certified Report containing the following information:

A) The name, last known address as recorded with the Secretary of State or, for a lessee of a cited vehicle, at the last address known to the lessor of the cited vehicle at the time of the lease, and the driver's license number of the person who failed to satisfy the final order of liability and the registration number of any vehicle known to be registered in this State to the person.

B) A statement that the Authority sent a notice of impending suspension of the person's driver's license, vehicle registration, or both, to the person named in the report at the address recorded with the Secretary of State, the date on which the notice was sent, and the address to which the notice was sent.

2) The person to whom the notice of impending suspension was sent may challenge the accuracy of the information contained in the Certified Report by submitting his/her challenges, within 30 days after the date of the notice, in writing, to:

The Illinois State Toll Highway Authority

ATTN: Violation Administration Center

2700 Ogden Avenue

Downers Grove, Illinois 60515

Challenges to the accuracy of the information contained in the Certified Report shall be limited to the following:

A) The person who received the notice was not the registered owner of the vehicle in question at the time of the alleged violations.

B) The person who received the notice has already paid the fine and any fees.

3) The Authority shall notify the Secretary of State whenever a person named in the Certified Report has satisfied the previously reported fines or penalties or whenever the Authority determines that the original report was in error. Upon receipt of the Authority's notification, the Secretary of State shall terminate the suspension. (See 625 ILCS 5/6-306.7.)

4) In addition to any tolls, fines or fees assessed by the Authority for toll violations, the registered owner of the vehicle involved in the toll violations at issue shall be required to reimburse the Authority for all fees paid to the Illinois Secretary of State for the enforcement of this Section.

d) Upon failure of a registered owner of a vehicle to satisfy any toll, fine or fee resulting from a final order issued by the Authority relating directly or indirectly to 5 or more toll violations, any and all vehicles registered to the registered owner shall be subject to immobilization, towing and/or impoundment.

1) If the vehicle was immobilized, a sticker shall be affixed to the vehicle in a conspicuous space. The sticker shall state:

A) that the vehicle has been immobilized pursuant to Section 10(a-5) of the Toll Highway Act for non-payment of 5 or more toll violations;

B) that all immobilized vehicles are subject to immediate tow and impoundment;

C) the procedures for making payment to obtain release of the immobilization;

D) the procedures for contesting the immobilization; and

E) that any unauthorized attempt to remove the immobilizing device shall constitute a petty offense.

2) If the vehicle was towed and/or impounded, the Tollway shall notify the registered owner of the vehicle by First Class Mail or other means provided by law at the registered owner's address of record as recorded with the Secretary of State's vehicle registration records. The notification shall state:

A) that the vehicle has been towed and/or impounded pursuant to Section 10(a-5) of the Toll Highway Act for non-payment of 5 or more toll violations;

B) the entity that is currently storing the vehicle;

C) the procedures for making payment to obtain release of the towed and/or impounded vehicle;

D) the procedures for contesting the tow and/or impoundment; and

E) that the vehicle may be sold or otherwise disposed of in accordance with Section 4-208 of the Vehicle Code if the vehicle is not retrieved within 30 days after the date of the notification.

3) The registered owner may challenge the immobilization, tow and/or impoundment within 30 days after the date of the notification specified in subsection (d)(1) or (d)(2), in writing, to:

The Illinois State Toll Highway Authority

ATTN: Violation Administration Center

2700 Ogden Avenue

Downers Grove, Illinois 60515

4) Challenges to the immobilization, tow and/or impoundment of a vehicle shall follow the procedures set forth in this Subpart F.

5) If a hearing officer determines that the registered owner was not the registered owner of the vehicle in question at the time of the alleged violations or the registered owner has already paid the outstanding fines and fees, the hearing officer shall order the Authority to release the vehicle without any costs to the registered owner.

6) If a hearing officer determines that the registered owner was not the registered owner of the vehicle in question at the time of the alleged violations or the registered owner has not already paid the fines and any fees, the hearing officer may order the Authority to release the vehicle only upon payment in full to the Authority of any and all outstanding final order judgment totals plus all fees paid by the Authority relating to the immobilization, tow, impoundment and/or storage of the registered owner's vehicle.

7) The Authority may contract with other public or private entities to carry out the provisions of this subsection (d). If the immobilization is performed by the State Police utilizing an Authority-owned immobilization device, an additional immobilization administrative release fee of $50 shall be applied. If the immobilization, tow and/or impoundment is performed by another public or private entity, the additional administrative release, tow and/or storage fees shall be set by contract between the Authority and the public or private entity.

8) Judicial review of all final orders of the Authority with respect to immobilized, towed or impounded vehicles shall be conducted in accordance with the Administrative Review Law.

(Source: Amended at 40 Ill. Reg. 3762, effective February 25, 2016)