



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4957

by Rep. John Cavaletto

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Vehicle Code. Defines "restored antique vehicle". Provides that an applicant who seeks to have a vehicle titled as a restored antique vehicle must state so in the application. Provides that the restored antique vehicle must be inspected by the Secretary of State Department of Police before a title can be issued. Provides that, upon a successful inspection, the vehicle shall be titled appropriately or may be issued a corrected title. Provides that a restored antique vehicle does not have to provide an odometer certification. Provides that an owner of a restored antique vehicle may register that vehicle for the standard registration fee for a vehicle of the first division and obtain a restored antique vehicle plate. Provides original and renewal issuance fees for special plates and that such fees shall be deposited into the Secretary of State Special License Plate Fund. Provides that an application for registration must be accompanied by an affirmation of the owner with specific affirmations. Provides that a registered owner of a restored antique vehicle may display a historical license plate. Provides that a restored antique vehicle may be disposed of by selling it to a person who desires to restore it. Provides that a restored antique vehicle may be equipped with lamps and brakes of the same type originally installed. Provides that a restored antique vehicle need not be equipped with electric turn signals unless such were originally installed. Requires that a restored antique vehicle shall have service brakes adequate to stop that vehicle within a distance of 40 feet and a hand brake adequate to stop within a distance of 55 feet. Provides that a restored antique vehicle does not need to submit to a safety test nor secure a certificate of safety.

LRB100 17250 LNS 32409 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 Sections 3-107, 3-112.1, 3-406, 4-209, 12-205, 12-208, 12-301,
6 and 13-101 and by adding Sections 1-102.1a and 3-804a as
7 follows:

8 (625 ILCS 5/1-102.1a new)

9 Sec. 1-102.1a. Restored antique vehicle. A motor vehicle
10 that is more than 25 years of age or a bonafide replica
11 thereof, in its original state and is as it was at the time of
12 its manufacture, or restored to its original construction and
13 appearance or restored to its original construction and
14 appearance as closely as possible using original parts.
15 Original parts can mean parts from the original motor vehicle,
16 parts from another vehicle of the same construction and
17 appearance, parts that are authentic reproductions of original
18 parts, parts that are fabricated to resemble original parts, or
19 any combination thereof.

20 (625 ILCS 5/3-107) (from Ch. 95 1/2, par. 3-107)

21 Sec. 3-107. Contents and effect.

22 (a) Each certificate of title issued by the Secretary of

1 State shall contain:

2 1. the date issued;

3 2. the name and address of the owner;

4 3. the names, addresses, and fax numbers or electronic
5 addresses of any lienholders, in the order of priority as
6 shown on the application or, if the application is based on
7 a certificate of title, as shown on the certificate;

8 4. the title number assigned to the vehicle;

9 5. a description of the vehicle including, so far as
10 the following data exists: its make, year-model,
11 identifying number, type of body, whether new or used, as
12 to house trailers as defined in Section 1-128 of this Code,
13 and as to manufactured homes as defined in Section 1-144.03
14 of this Code, the square footage of the vehicle based upon
15 the outside dimensions excluding the length of the tongue
16 and hitch, and, if a new vehicle, the date of the first
17 sale of the vehicle for use;

18 6. an odometer certification as provided for in this
19 Code; and

20 7. any other data the Secretary of State prescribes.

21 (a-5) In the event the applicant seeks to have the vehicle
22 titled as a restored antique vehicle, custom vehicle, or street
23 rod, that fact must be stated in the application. The restored
24 antique vehicle, custom vehicle, or street rod must be
25 inspected as required by Section 3-406 of this Code prior to
26 issuance of the title. Upon successful completion of the

1 inspection, the vehicle may be titled in the following manner.
2 The make of the vehicle shall be listed as the make of the
3 actual vehicle or the make it is designed to resemble (e.g.,
4 Ford or Chevrolet); the model of the vehicle shall be listed as
5 restored antique vehicle, custom vehicle, or street rod; and
6 the year of the vehicle shall be listed as the year the actual
7 vehicle was manufactured or the year it is designed to
8 resemble. A vehicle previously titled as other than a restored
9 antique vehicle, custom vehicle, or street rod may be issued a
10 corrected title reflecting the restored antique vehicle,
11 custom vehicle, or street rod model if it otherwise meets the
12 requirements for the designation.

13 (a-10) In the event the applicant seeks to have the vehicle
14 titled as a glider kit, that fact must be stated in the
15 application. The glider kit must be inspected under Section
16 3-406 of this Code prior to issuance of the title. Upon
17 successful completion of the inspection, the vehicle shall be
18 titled in the following manner: (1) the make of the vehicle
19 shall be listed as the make of the chassis or the make it is
20 designed to resemble; (2) the model of the vehicle shall be
21 listed as glider kit; and (3) the year of the vehicle shall be
22 listed as the year presented on the manufacturer's certificate
23 of origin for the chassis, unless no year is presented, then it
24 shall be listed as the year the application was received. The
25 vehicle identification number of the chassis shall be assigned
26 to the engine, transmission, and rear axle if the engine,

1 transmission, and rear axle were not previously assigned a
2 vehicle identification number after an inspection under
3 Section 3-406.

4 (b) The certificate of title shall contain forms for
5 assignment and warranty of title by the owner, and for
6 assignment and warranty of title by a dealer, and may contain
7 forms for applications for a certificate of title by a
8 transferee, the naming of a lienholder and the assignment or
9 release of the security interest of a lienholder.

10 (b-5) The Secretary of State shall designate on a
11 certificate of title a space where the owner of a vehicle may
12 designate a beneficiary, to whom ownership of the vehicle shall
13 pass in the event of the owner's death.

14 (c) A certificate of title issued by the Secretary of State
15 is prima facie evidence of the facts appearing on it.

16 (d) A certificate of title for a vehicle is not subject to
17 garnishment, attachment, execution or other judicial process,
18 but this subsection does not prevent a lawful levy upon the
19 vehicle.

20 (e) Any certificate of title issued by the Secretary of
21 State is subject to a lien in favor of the State of Illinois
22 for any fees or taxes required to be paid under this Act and as
23 have not been paid, as provided for in this Code.

24 (f) Notwithstanding any other provision of law, a
25 certificate of title issued by the Secretary of State to a
26 manufactured home is prima facie evidence of the facts

1 appearing on it, notwithstanding the fact that such
2 manufactured home, at any time, shall have become affixed in
3 any manner to real property.

4 (Source: P.A. 99-748, eff. 8-5-16; 100-450, eff. 1-1-18.)

5 (625 ILCS 5/3-112.1) (from Ch. 95 1/2, par. 3-112.1)
6 Sec. 3-112.1. Odometer.

7 (a) All titles issued by the Secretary of State beginning
8 January, 1990, shall provide for an odometer certification
9 substantially as follows:

10 "I certify to the best of my knowledge that the odometer
11 reading is and reflects the actual mileage of the vehicle
12 unless one of the following statements is checked.

13

14 () 1. The mileage stated is in excess of its mechanical
15 limits.

16 () 2. The odometer reading is not the actual mileage.
17 Warning - Odometer Discrepancy."

18 (b) When executing any transfer of title which contains the
19 odometer certification as described in paragraph (a) above,
20 each transferor of a motor vehicle must supply on the title
21 form the following information:

22 (1) The odometer reading at the time of transfer and an
23 indication if the mileage is in excess of its mechanical
24 limits or if it is not the actual mileage;

25 (2) The date of transfer;

1 (3) The transferor's printed name and signature; and

2 (4) The transferee's printed name and address.

3 (c) The transferee must sign on the title form indicating
4 that he or she is aware of the odometer certification made by
5 the transferor.

6 (d) The transferor will not be required to disclose the
7 current odometer reading and the transferee will not have to
8 acknowledge such disclosure under the following circumstances:

9 (1) A vehicle having a Gross Vehicle Weight Rating of
10 more than 16,000 pounds;

11 (2) A vehicle that is not self-propelled;

12 (3) A vehicle that is 10 years old or older;

13 (4) A vehicle sold directly by the manufacturer to any
14 agency of the United States; and

15 (5) A vehicle manufactured without an odometer.

16 (e) When the transferor signs the title transfer such
17 transferor acknowledges that he or she is aware that Federal
18 regulations and State law require him or her to state the
19 odometer mileage upon transfer of ownership. An inaccurate or
20 untruthful statement with intent to defraud subjects the
21 transferor to liability for damages to the transferee pursuant
22 to the federal Motor Vehicle Information and Cost Act of 1972,
23 P.L. 92-513 as amended by P.L. 94-364. No transferor shall be
24 liable for damages as provided under this Section who transfers
25 title to a motor vehicle which has an odometer reading that has
26 been altered or tampered with by a previous owner, unless that

1 transferor knew or had reason to know of such alteration or
2 tampering and sold such vehicle with an intent to defraud. A
3 cause of action is hereby created by which any person who, with
4 intent to defraud, violates any requirement imposed under this
5 Section shall be liable in an amount equal to the sum of:

6 (1) three times the amount of actual damages sustained
7 or \$1,500, whichever is the greater; and

8 (2) in the case of any successful action to enforce the
9 foregoing liability, the costs of the action together with
10 reasonable attorney fees as determined by the court.

11 Any recovery based on a cause of action under this Section
12 shall be offset by any recovery made pursuant to the federal
13 Motor Vehicle Information and Cost Savings Act of 1972.

14 (f) The provisions of this Section shall not apply to any
15 motorcycle, motor driven cycle, moped, antique vehicle,
16 restored antique vehicle, or expanded-use antique vehicle.

17 (g) The Secretary of State may adopt rules and regulations
18 providing for a transition period for all non-conforming
19 titles.

20 (Source: P.A. 97-412, eff. 1-1-12.)

21 (625 ILCS 5/3-406) (from Ch. 95 1/2, par. 3-406)

22 Sec. 3-406. Application for specially constructed,
23 reconstructed, restored antique, custom, street rod, foreign
24 vehicles, or glider kits.

25 (a) In the event the vehicle to be registered is a

1 specially constructed, reconstructed or foreign vehicle, such
2 fact shall be stated in the application and with reference to
3 every foreign vehicle which has been registered heretofore
4 outside of this State the owner shall surrender to the
5 Secretary of State all registration plates, registration cards
6 or other evidence of such foreign registration as may be in his
7 possession or under his control except as provided in
8 subdivision (b) hereof.

9 (b) Where in the course of interstate operation of a
10 vehicle registered in another State, it is desirable to retain
11 registration of said vehicle in such other State, such
12 applicant need not surrender but shall submit for inspection
13 said evidences of such foreign registration and the Secretary
14 of State upon a proper showing shall register said vehicle in
15 this State but shall not issue a certificate of title for such
16 vehicle.

17 (c) In the event the applicant seeks to have the vehicle
18 registered as a restored antique vehicle, custom vehicle, or
19 street rod, that fact must be stated in the application. Prior
20 to registration, restored antique vehicles, custom vehicles,
21 or street rods must be inspected by the Secretary of State
22 Department of Police. Upon successful completion of the
23 inspection, the vehicle may be registered in the following
24 manner. The make of the vehicle shall be listed as the make of
25 the actual vehicle or the make it is designed to resemble
26 (e.g., Ford or Chevrolet); the model of the vehicle shall be

1 listed as restored antique vehicle, custom vehicle, or street
2 rod; and the year of the vehicle shall be listed as the year
3 the actual vehicle was manufactured or the year it is designed
4 to resemble.

5 (d) In the event the applicant seeks to have the vehicle
6 registered as a glider kit, that fact must be stated in the
7 application. Each glider kit sought to be registered shall be
8 inspected by the Secretary of State Department of Police who
9 shall verify the chassis, cab, front axle, and other essential
10 parts as acceptable. Upon successful completion of the
11 inspection, the vehicle may be registered in the following
12 manner: (1) the make of the vehicle shall be listed as the make
13 of the chassis of the actual manufacturer; (2) the model of the
14 vehicle shall be listed as glider kit; and (3) the year of the
15 vehicle shall be listed as the year presented on the
16 manufacturer's certificate of origin for the chassis, unless no
17 year is presented, then it shall be listed as the year the
18 application is received.

19 (Source: P.A. 99-748, eff. 8-5-16.)

20 (625 ILCS 5/3-804a new)

21 Sec. 3-804a. Restored antique vehicles.

22 (a) The owner of a restored antique vehicle may register
23 that vehicle for the standard registration fee for a vehicle of
24 the first division, other than a motorcycle, motor driven
25 cycle, or pedalcycle, and obtain a restored antique vehicle

1 plate. An applicant for a special plate shall be charged, in
2 addition to the standard registration fee, \$15 for original
3 issuance to be deposited into the Secretary of State Special
4 License Plate Fund. For each renewal period, in addition to the
5 standard registration fee, the applicant shall be charged \$2,
6 which shall be deposited into the Secretary of State Special
7 License Plate Fund. The application for registration must be
8 accompanied by an affirmation of the owner that the vehicle
9 will be maintained for occasional transportation, exhibitions,
10 club activities, parades, tours, and similar uses and will not
11 be used for general daily transportation and that the
12 mechanical condition, physical condition, brakes, lights,
13 glass, and appearance of that vehicle is the same or as safe as
14 originally equipped. The Secretary may, in his or her
15 discretion prescribe that restored antique vehicle plates be
16 issued for a definite or indefinite term, such term to
17 correspond to the term of registration plates issued generally,
18 as provided in Section 3-414.1. Any person requesting restored
19 antique plates under this Section may also apply to have vanity
20 or personalized plates as provided under Section 3-405.1.

21 (b) Any person who is the registered owner of a restored
22 antique vehicle may display a historical license plate from or
23 representing the model year of the vehicle, furnished by such
24 person, in lieu of the current and valid Illinois restored
25 antique vehicle plates issued thereto, provided that valid and
26 current Illinois restored antique vehicle plates and

1 registration card issued to such restored antique vehicle are
2 simultaneously carried within such vehicle and are available
3 for inspection.

4 (c) Upon initial registration of a restored antique
5 vehicle, the owner of the vehicle must have the vehicle
6 inspected as required by Section 3-406 of this Code.

7 Except where otherwise provided, restored antique vehicles
8 are considered to be in compliance with all vehicle equipment
9 requirements if they have passed the approved vehicle safety
10 inspection.

11 (625 ILCS 5/4-209) (from Ch. 95 1/2, par. 4-209)

12 Sec. 4-209. Disposal of unclaimed vehicles more than 7
13 years of age; disposal of abandoned or unclaimed vehicles
14 without notice.

15 (a) When the identity of the registered owner, lienholder,
16 or other legally entitled persons of an abandoned, lost, or
17 unclaimed vehicle of 7 years of age or newer cannot be
18 determined by any means provided for in this Chapter, the
19 vehicle may be sold as provided in Section 4-208 without notice
20 to any person whose identity cannot be determined.

21 (b) When an abandoned vehicle of more than 7 years of age
22 is impounded as specified by this Chapter, or when any such
23 vehicle is towed at the request or with the consent of the
24 owner or operator and is subsequently abandoned, it will be
25 kept in custody or storage for a minimum of 10 days for the

1 purpose of determining the identity of the registered owner,
2 lienholder, or other legally entitled persons and contacting
3 the registered owner, lienholder, or other legally entitled
4 persons by the U. S. Mail, public service or in person for a
5 determination of disposition; and, an examination of the State
6 Police stolen vehicle files for theft and wanted information.
7 At the expiration of the 10 day period, without the benefit of
8 disposition information being received from the registered
9 owner, lienholder, or other legally entitled persons, the
10 vehicle may be disposed of in either of the following ways:

11 (1) The law enforcement agency having jurisdiction
12 will authorize the disposal of the vehicle as junk or
13 salvage.

14 (2) The towing service may sell the vehicle in the
15 manner provided in Section 4-208 of this Code, provided
16 that this paragraph (2) shall not apply to vehicles towed
17 by order or authorization of a law enforcement agency.

18 (c) A vehicle classified as an antique vehicle, restored
19 antique vehicle, expanded-use antique vehicle, custom vehicle,
20 or street rod may however be sold to a person desiring to
21 restore it.

22 (Source: P.A. 97-412, eff. 1-1-12.)

23 (625 ILCS 5/12-205) (from Ch. 95 1/2, par. 12-205)

24 Sec. 12-205. Lamps on other vehicles and equipment. Every
25 vehicle, including animal drawn vehicles, referred to in

1 paragraph (b) of Section 12-101, not specifically required by
2 the provisions of this Article to be equipped with lamps or
3 other lighting devices, shall at all times specified in Section
4 12-201 of this Act be equipped with at least 2 lamps on the
5 power or towing unit, displaying a white light visible from a
6 distance of not less than 1,000 feet to the front of such
7 vehicle and shall also be equipped with 2 lamps each displaying
8 a red light visible from a distance of not less than 1,000 feet
9 to the rear of such vehicle.

10 Where the towed unit or any load thereon partially or
11 totally obscures the 2 lamps displaying red light to the rear
12 of the towing unit, the rearmost towed unit shall be equipped
13 with 2 lamps displaying red light visible from a distance of
14 not less than 1,000 feet to the rear of such towed unit which
15 are positioned in such a manner as to not obstruct the
16 visibility of the red light to any vehicle operator approaching
17 from the rear of such vehicle or combination of vehicles.

18 Where the 2 lamps displaying red light are not obscured by
19 the towed unit or its load, then either towing unit or towed
20 unit, or both, may be equipped with the 2 lamps displaying red
21 light as required.

22 The preceding paragraph does not apply to antique vehicles,
23 restored antique vehicles, expanded-use antique vehicles,
24 custom vehicles, or street rods. An antique vehicle, restored
25 antique vehicle, or expanded-use antique vehicle shall be
26 equipped with lamps of the same type originally installed by

1 the manufacturer as original equipment and in working order.

2 (Source: P.A. 97-412, eff. 1-1-12.)

3 (625 ILCS 5/12-208) (from Ch. 95 1/2, par. 12-208)

4 Sec. 12-208. Signal lamps and signal devices.

5 (a) Every vehicle other than an antique vehicle displaying
6 an antique plate, a restored antique vehicle displaying a
7 restored antique plate, or an expanded-use antique vehicle
8 displaying an expanded-use antique vehicle plate ~~plates~~
9 operated in this State shall be equipped with a stop lamp or
10 lamps on the rear of the vehicle which shall display a red or
11 amber light visible from a distance of not less than 500 feet
12 to the rear in normal sunlight and which shall be actuated upon
13 application of the service (foot) brake, and which may but need
14 not be incorporated with other rear lamps. During times when
15 lighted lamps are not required, an antique vehicle, a restored
16 antique vehicle, or an expanded-use antique vehicle may be
17 equipped with a stop lamp or lamps on the rear of such vehicle
18 of the same type originally installed by the manufacturer as
19 original equipment and in working order. However, at all other
20 times, except as provided in subsection (a-1), such antique
21 vehicle, restored antique vehicle, or expanded-use antique
22 vehicle must be equipped with stop lamps meeting the
23 requirements of Section 12-208 of this Act.

24 (a-1) A motorcycle, ~~or~~ an antique vehicle, a restored
25 antique vehicle, or an expanded-use antique vehicle, including

1 an antique motorcycle, may display a blue light or lights of up
2 to one inch in diameter as part of the vehicle's rear stop lamp
3 or lamps.

4 (b) Every motor vehicle other than an antique vehicle
5 displaying an antique plate, a restored antique vehicle
6 displaying a restored antique plate, or an expanded-use antique
7 vehicle displaying an expanded-use antique vehicle plate
8 ~~plates~~ shall be equipped with an electric turn signal device
9 which shall indicate the intention of the driver to turn to the
10 right or to the left in the form of flashing lights located at
11 and showing to the front and rear of the vehicle on the side of
12 the vehicle toward which the turn is to be made. The lamps
13 showing to the front shall be mounted on the same level and as
14 widely spaced laterally as practicable and, when signaling,
15 shall emit a white or amber light, or any shade of light
16 between white and amber. The lamps showing to the rear shall be
17 mounted on the same level and as widely spaced laterally as
18 practicable and, when signaling, shall emit a red or amber
19 light. An antique vehicle, restored antique vehicle, or
20 expanded-use antique vehicle shall be equipped with a turn
21 signal device of the same type originally installed by the
22 manufacturer as original equipment and in working order.

23 (c) Every trailer and semitrailer shall be equipped with an
24 electric turn signal device which indicates the intention of
25 the driver in the power unit to turn to the right or to the left
26 in the form of flashing red or amber lights located at the rear

1 of the vehicle on the side toward which the turn is to be made
2 and mounted on the same level and as widely spaced laterally as
3 practicable.

4 (d) Turn signal lamps must be visible from a distance of
5 not less than 300 feet in normal sunlight.

6 (e) Motorcycles and motor-driven cycles need not be
7 equipped with electric turn signals. Antique vehicles,
8 restored antique vehicles, and expanded-use antique vehicles
9 need not be equipped with turn signals unless such were
10 installed by the manufacturer as original equipment.

11 (f) (Blank).

12 (g) Motorcycles and motor-driven cycles may be equipped
13 with a stop lamp or lamps on the rear of the vehicle that
14 display a red or amber light, visible from a distance of not
15 less than 500 feet to the rear in normal sunlight, that flashes
16 and becomes steady only when the brake is actuated.

17 (Source: P.A. 99-598, eff. 1-1-17.)

18 (625 ILCS 5/12-301) (from Ch. 95 1/2, par. 12-301)

19 Sec. 12-301. Brakes.

20 (a) Brake equipment required.

21 1. Every motor vehicle, other than a motor-driven
22 cycle, an antique vehicle displaying an antique plate, a
23 restored antique vehicle displaying a restored antique
24 plate, and an expanded-use antique vehicle displaying an
25 expanded-use antique vehicle plate ~~plates~~, when operated

1 upon a highway shall be equipped with brakes adequate to
2 control the movement of and to stop and hold such vehicle,
3 including 2 separate means of applying the brakes, each of
4 which means shall be effective to apply the brakes to at
5 least one wheel on a motorcycle and at least 2 wheels on
6 all other first division and second division vehicles. If
7 these 2 separate means of applying the brakes are connected
8 in any way, they shall be so constructed that failure of
9 any one part of the operating mechanism shall not leave the
10 motor vehicle without brakes.

11 2. Every motor-driven cycle when operated upon a
12 highway shall be equipped with at least one brake which may
13 be operated by hand or foot.

14 3. Every antique vehicle and restored antique vehicle
15 shall be equipped with the brakes of the same type
16 originally installed by the manufacturer as original
17 equipment and in working order.

18 4. Except as provided in paragraph 4.1, every trailer
19 or semitrailer of a gross weight of over 3,000 pounds, when
20 operated upon a highway must be equipped with brakes
21 adequate to control the movement of, to stop and to hold
22 such vehicle, and designed so as to be operable by the
23 driver of the towing vehicle from its cab. Such brakes must
24 be so designed and connected that in case of an accidental
25 breakaway of a towed vehicle over 5,000 pounds, the brakes
26 are automatically applied.

1 4.1. Every boat trailer of a gross weight of over 3,000
2 pounds, when operated upon a highway, must be equipped with
3 brakes adequate to control the movement of, to stop, and to
4 hold that boat trailer. The brakes must be designed to
5 ensure that, in case of an accidental breakaway of a towed
6 boat trailer over 5,000 pounds, the brakes are
7 automatically applied.

8 5. Every motor vehicle, expanded-use antique vehicle,
9 trailer, pole trailer or semitrailer, sold in this State or
10 operated upon the highways shall be equipped with service
11 brakes upon all wheels of every such vehicle, except any
12 motor-driven cycle, and except that any trailer, pole
13 trailer or semitrailer 3,000 pounds gross weight or less
14 need not be equipped with brakes, and except that any
15 trailer or semitrailer with gross weight over 3,000 pounds
16 but under 5,001 pounds need be equipped with brakes on only
17 one wheel on each side of the vehicle. Any motor vehicle
18 and truck tractor having 3 or more axles and manufactured
19 prior to July 25, 1980 need not have brakes on the front
20 wheels, except when such vehicles are equipped with at
21 least 2 steerable axles, the wheels of one such axle need
22 not be equipped with brakes. However, a vehicle that is
23 more than 30 years of age and which is driven on the
24 highways only in going to and returning from an antique
25 auto show or for servicing or for a demonstration need be
26 equipped with 2 wheel brakes only.

1 (b) Performance ability of brakes.

2 1. The service brakes upon any motor vehicle or
3 combination of vehicles operating on a level surface shall
4 be adequate to stop such vehicle or vehicles when traveling
5 20 miles per hour within a distance of 30 feet when upon
6 dry asphalt or concrete pavement surface free from loose
7 material.

8 2. Under the above conditions the hand brake shall be
9 adequate to stop such vehicle or vehicles, except any
10 motorcycle, within a distance of 55 feet and the hand brake
11 shall be adequate to hold such vehicle or vehicles
12 stationary on any grade upon which operated.

13 3. Under the above conditions the service brakes upon
14 an antique vehicle, a restored antique vehicle, or an
15 expanded-use antique vehicle shall be adequate to stop the
16 vehicle within a distance of 40 feet and the hand brake
17 adequate to stop the vehicle within a distance of 55 feet.

18 4. All braking distances specified in this Section
19 apply to all vehicles mentioned, whether such vehicles are
20 unloaded or are loaded to the maximum capacity permitted
21 under this Act.

22 5. All brakes shall be maintained in good working order
23 and shall be so adjusted as to operate as equally as
24 practicable with respect to the wheels on opposite sides of
25 the vehicle.

26 6. Brake assembly requirements for mobile homes shall

1 be the standards required by the United States Department
2 of Housing and Urban Development adopted under Title VI of
3 the Housing and Community Development Act of 1974.

4 (c) (Blank).

5 (Source: P.A. 96-487, eff. 1-1-10; 97-412, eff. 1-1-12.)

6 (625 ILCS 5/13-101) (from Ch. 95 1/2, par. 13-101)

7 Sec. 13-101. Submission to safety test; Certificate of
8 safety. To promote the safety of the general public, every
9 owner of a second division vehicle, medical transport vehicle,
10 tow truck, first division vehicle including a taxi which is
11 used for a purpose that requires a school bus driver permit,
12 motor vehicle used for driver education training, or contract
13 carrier transporting employees in the course of their
14 employment on a highway of this State in a vehicle designed to
15 carry 15 or fewer passengers shall, before operating the
16 vehicle upon the highways of Illinois, submit it to a "safety
17 test" and secure a certificate of safety furnished by the
18 Department as set forth in Section 13-109. Each second division
19 motor vehicle that pulls or draws a trailer, semitrailer or
20 pole trailer, with a gross weight of more than 8,000 lbs or is
21 registered for a gross weight of more than 8,000 lbs, motor
22 bus, religious organization bus, school bus, senior citizen
23 transportation vehicle, and limousine shall be subject to
24 inspection by the Department and the Department is authorized
25 to establish rules and regulations for the implementation of

1 such inspections.

2 The owners of each salvage vehicle shall submit it to a
3 "safety test" and secure a certificate of safety furnished by
4 the Department prior to its salvage vehicle inspection pursuant
5 to Section 3-308 of this Code. In implementing and enforcing
6 the provisions of this Section, the Department and other
7 authorized State agencies shall do so in a manner that is not
8 inconsistent with any applicable federal law or regulation so
9 that no federal funding or support is jeopardized by the
10 enactment or application of these provisions.

11 However, none of the provisions of Chapter 13 requiring
12 safety tests or a certificate of safety shall apply to:

13 (a) farm tractors, machinery and implements, wagons,
14 wagon-trailers or like farm vehicles used primarily in
15 agricultural pursuits;

16 (b) vehicles other than school buses, tow trucks and
17 medical transport vehicles owned or operated by a municipal
18 corporation or political subdivision having a population
19 of 1,000,000 or more inhabitants and which are subject to
20 safety tests imposed by local ordinance or resolution;

21 (c) a semitrailer or trailer having a gross weight of
22 5,000 pounds or less including vehicle weight and maximum
23 load;

24 (d) recreational vehicles;

25 (e) vehicles registered as an antique vehicle and
26 displaying Illinois antique vehicle plates, vehicles

1 registered as a restored antique vehicle and displaying
2 Illinois restored antique vehicle plates, and vehicles
3 registered as an expanded-use antique vehicle ~~vehicles~~ and
4 displaying expanded-use antique vehicle plates;

5 (f) house trailers equipped and used for living
6 quarters;

7 (g) vehicles registered as and displaying Illinois
8 permanently mounted equipment plates or similar vehicles
9 eligible therefor but registered as governmental vehicles
10 provided that if said vehicle is reclassified from a
11 permanently mounted equipment plate so as to lose the
12 exemption of not requiring a certificate of safety, such
13 vehicle must be safety tested within 30 days of the
14 reclassification;

15 (h) vehicles owned or operated by a manufacturer,
16 dealer or transporter displaying a special plate or plates
17 as described in Chapter 3 of this Code while such vehicle
18 is being delivered from the manufacturing or assembly plant
19 directly to the purchasing dealership or distributor, or
20 being temporarily road driven for quality control testing,
21 or from one dealer or distributor to another, or are being
22 moved by the most direct route from one location to another
23 for the purpose of installing special bodies or equipment,
24 or driven for purposes of demonstration by a prospective
25 buyer with the dealer or his agent present in the cab of
26 the vehicle during the demonstration;

- 1 (i) pole trailers and auxiliary axles;
- 2 (j) special mobile equipment;
- 3 (k) vehicles properly registered in another State
4 pursuant to law and displaying a valid registration plate,
5 except vehicles of contract carriers transporting
6 employees in the course of their employment on a highway of
7 this State in a vehicle designed to carry 15 or fewer
8 passengers are only exempted to the extent that the safety
9 testing requirements applicable to such vehicles in the
10 state of registration are no less stringent than the safety
11 testing requirements applicable to contract carriers that
12 are lawfully registered in Illinois;
- 13 (l) water-well boring apparatuses or rigs;
- 14 (m) any vehicle which is owned and operated by the
15 federal government and externally displays evidence of
16 such ownership; and
- 17 (n) second division vehicles registered for a gross
18 weight of 8,000 pounds or less, except when such second
19 division motor vehicles pull or draw a trailer,
20 semi-trailer or pole trailer having a gross weight of or
21 registered for a gross weight of more than 8,000 pounds;
22 motor buses; religious organization buses; school buses;
23 senior citizen transportation vehicles; medical transport
24 vehicles and tow trucks.
- 25 The safety test shall include the testing and inspection of
26 brakes, lights, horns, reflectors, rear vision mirrors,

1 mufflers, safety chains, windshields and windshield wipers,
2 warning flags and flares, frame, axle, cab and body, or cab or
3 body, wheels, steering apparatus, and other safety devices and
4 appliances required by this Code and such other safety tests as
5 the Department may by rule or regulation require, for second
6 division vehicles, school buses, medical transport vehicles,
7 tow trucks, first division vehicles including taxis which are
8 used for a purpose that requires a school bus driver permit,
9 motor vehicles used for driver education training, vehicles
10 designed to carry 15 or fewer passengers operated by a contract
11 carrier transporting employees in the course of their
12 employment on a highway of this State, trailers, and
13 semitrailers subject to inspection.

14 For tow trucks, the safety test and inspection shall also
15 include the inspection of winch mountings, body panels, body
16 mounts, wheel lift swivel points, and sling straps, and other
17 tests and inspections the Department by rule requires for tow
18 trucks.

19 For driver education vehicles used by public high schools,
20 the vehicle must also be equipped with dual control brakes, a
21 mirror on each side of the vehicle so located as to reflect to
22 the driver a view of the highway for a distance of at least 200
23 feet to the rear, and a sign visible from the front and the
24 rear identifying the vehicle as a driver education car.

25 For trucks, truck tractors, trailers, semi-trailers,
26 buses, and first division vehicles including taxis which are

1 used for a purpose that requires a school bus driver permit,
2 the safety test shall be conducted in accordance with the
3 Minimum Periodic Inspection Standards promulgated by the
4 Federal Highway Administration of the U.S. Department of
5 Transportation and contained in Appendix G to Subchapter B of
6 Chapter III of Title 49 of the Code of Federal Regulations.
7 Those standards, as now in effect, are made a part of this
8 Code, in the same manner as though they were set out in full in
9 this Code.

10 The passing of the safety test shall not be a bar at any
11 time to prosecution for operating a second division vehicle,
12 medical transport vehicle, motor vehicle used for driver
13 education training, or vehicle designed to carry 15 or fewer
14 passengers operated by a contract carrier as provided in this
15 Section that is unsafe, as determined by the standards
16 prescribed in this Code.

17 (Source: P.A. 97-224, eff. 7-28-11; 97-412, eff. 1-1-12;
18 97-813, eff. 7-13-12; 97-1025, eff. 1-1-13.)

1 INDEX

2 Statutes amended in order of appearance

3 625 ILCS 5/1-102.1a new

4 625 ILCS 5/3-107 from Ch. 95 1/2, par. 3-107

5 625 ILCS 5/3-112.1 from Ch. 95 1/2, par. 3-112.1

6 625 ILCS 5/3-406 from Ch. 95 1/2, par. 3-406

7 625 ILCS 5/3-804a new

8 625 ILCS 5/4-209 from Ch. 95 1/2, par. 4-209

9 625 ILCS 5/12-205 from Ch. 95 1/2, par. 12-205

10 625 ILCS 5/12-208 from Ch. 95 1/2, par. 12-208

11 625 ILCS 5/12-301 from Ch. 95 1/2, par. 12-301

12 625 ILCS 5/13-101 from Ch. 95 1/2, par. 13-101