



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0797

Introduced 2/10/2021, by Rep. Deanne M. Mazzochi

SYNOPSIS AS INTRODUCED:

625 ILCS 5/18a-302
815 ILCS 505/2Z

from Ch. 95 1/2, par. 18a-302
from Ch. 121 1/2, par. 262Z

Amends the Illinois Vehicle Code. Provides that, if an owner or other person in lawful possession or control of private property has contracted with a third-party vendor to issue permission to park on the private property through an online service vendor, and a vehicle has been removed from the property associated with the address prior to the time allocated according to the receipt provided to the vehicle owner or authorized user of the vehicle from the online service vendor, then the online service vendor, within 10 business days after presentation of the towing invoice and receipt from the vehicle owner or authorized user, shall remit to the vehicle owner or authorized user of the vehicle all costs charged to the vehicle owner or authorized user of a vehicle for towing costs, invoice fees, and fees for 24 hours of storage, plus \$25 for reimbursement to travel to the vehicle location held by the towing company. Provides that if the online service vendor fails to comply, the online service vendor commits an unlawful practice within the meaning of the Consumer Fraud and Deceptive Business Practices Act. Makes a corresponding change in the Consumer Fraud and Deceptive Business Practices Act.

LRB102 13862 RAM 19213 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 Illinois Vehicle Code is amended by
5 changing Section 18a-302 as follows:

6 (625 ILCS 5/18a-302) (from Ch. 95 1/2, par. 18a-302)

7 Sec. 18a-302. Owner or other person in lawful possession
8 or control of private property - Right to employ relocation
9 service.

10 (a) It shall be unlawful for an owner or other person in
11 lawful possession or control of private property to remove or
12 employ a commercial relocater to remove an unauthorized
13 vehicle from such property unless written notice is provided
14 to the effect that such vehicles will be removed, including
15 the name, address and telephone number of the appropriate
16 commercial vehicle relocater, if any. Such notice shall
17 consist of a sign, posted in a conspicuous place in the
18 affected area, of a size at least 24 inches in height by 36
19 inches in width. Such sign shall be at least 4 feet from the
20 ground but less than 8 feet from the ground and shall be either
21 illuminated or painted with reflective paint, or both. Such
22 sign shall state the amount of towing charges to which the
23 person parking may be subject. This provision shall not be

1 construed as prohibiting any unit of local government from
2 imposing additional or greater notice requirements.

3 No express notice shall be required under this Section
4 upon residential property which, paying due regard to the
5 circumstances and the surrounding area, is clearly reserved or
6 intended exclusively for the use or occupation of residents or
7 their vehicles.

8 (b) If an owner or other person in lawful possession or
9 control of private property has contracted with a third-party
10 vendor to issue permission to park on the private property
11 through an online service vendor, and a vehicle has been
12 removed from the property associated with the address prior to
13 the time allocated according to the receipt provided to the
14 vehicle owner or authorized user of the vehicle from the
15 online service vendor, then the online service vendor shall,
16 within 10 business days after presentation of the towing
17 invoice and receipt from the vehicle owner or authorized user,
18 remit to the vehicle owner or authorized user of the vehicle
19 all costs charged to the vehicle owner or authorized user of a
20 vehicle for towing costs, invoice fees, and fees for 24 hours
21 of storage, plus \$25 for reimbursement to travel to the
22 vehicle location held by the towing company. If the online
23 service vendor fails to comply with this subsection, the
24 online service vendor commits an unlawful practice within the
25 meaning of the Consumer Fraud and Deceptive Business Practices
26 Act.

1 (Source: P.A. 81-332.)

2 Section 10. The Consumer Fraud and Deceptive Business
3 Practices Act is amended by changing Section 2Z as follows:

4 (815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

5 Sec. 2Z. Violations of other Acts. Any person who
6 knowingly violates the Automotive Repair Act, the Automotive
7 Collision Repair Act, the Home Repair and Remodeling Act, the
8 Dance Studio Act, the Physical Fitness Services Act, the
9 Hearing Instrument Consumer Protection Act, the Illinois Union
10 Label Act, the Installment Sales Contract Act, the Job
11 Referral and Job Listing Services Consumer Protection Act, the
12 Travel Promotion Consumer Protection Act, the Credit Services
13 Organizations Act, the Automatic Telephone Dialers Act, the
14 Pay-Per-Call Services Consumer Protection Act, the Telephone
15 Solicitations Act, the Illinois Funeral or Burial Funds Act,
16 the Cemetery Oversight Act, the Cemetery Care Act, the Safe
17 and Hygienic Bed Act, the Illinois Pre-Need Cemetery Sales
18 Act, the High Risk Home Loan Act, the Payday Loan Reform Act,
19 the Mortgage Rescue Fraud Act, subsection (a) or (b) of
20 Section 3-10 of the Cigarette Tax Act, subsection (a) or (b) of
21 Section 3-10 of the Cigarette Use Tax Act, the Electronic Mail
22 Act, the Internet Caller Identification Act, paragraph (6) of
23 subsection (k) of Section 6-305 or subsection (b) of Section
24 18a-302 of the Illinois Vehicle Code, Section 11-1431,

1 18d-115, 18d-120, 18d-125, 18d-135, 18d-150, or 18d-153 of the
2 Illinois Vehicle Code, Article 3 of the Residential Real
3 Property Disclosure Act, the Automatic Contract Renewal Act,
4 the Reverse Mortgage Act, Section 25 of the Youth Mental
5 Health Protection Act, the Personal Information Protection
6 Act, or the Student Online Personal Protection Act commits an
7 unlawful practice within the meaning of this Act.

8 (Source: P.A. 99-331, eff. 1-1-16; 99-411, eff. 1-1-16;
9 99-642, eff. 7-28-16; 100-315, eff. 8-24-17; 100-416, eff.
10 1-1-18; 100-863, eff. 8-14-18.)