

HB3386



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3386

Introduced 2/17/2023, by Rep. Curtis J. Tarver, II

SYNOPSIS AS INTRODUCED:

625 ILCS 5/2-106.1 new

625 ILCS 5/3-405

from Ch. 95 1/2, par. 3-405

Amends the Illinois Vehicle Code. Requires the Secretary of State to accept forms and documents that are manually signed and scanned or signed with a digital signature as an alternative to physical hard copies when processing applications for vehicle registration.

LRB103 25931 MXP 52282 b

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
5 changing Section 3-405 and by adding Section 2-106.1 as
6 follows:

7 (625 ILCS 5/2-106.1 new)

8 Sec. 2-106.1. Alternative registration forms and
9 documents.

10 (a) As used in this Section, "digital signature" has the
11 same meaning as defined in the Financial Institutions
12 Electronic Documents and Digital Signature Act.

13 (b) The Secretary shall accept forms and documents that
14 are manually signed and scanned or signed with a digital
15 signature in place of physical hard copies of such forms and
16 documents when processing vehicle registration applications.

17 (625 ILCS 5/3-405) (from Ch. 95 1/2, par. 3-405)

18 (Text of Section before amendment by P.A. 102-1069)

19 Sec. 3-405. Application for registration.

20 (a) Every owner of a vehicle subject to registration under
21 this Code shall make application to the Secretary of State for
22 the registration of such vehicle upon the appropriate form or

1 forms furnished by the Secretary. Every such application shall
2 bear the signature of the owner written with pen and ink and
3 contain:

4 1. The name, domicile address, as defined in Section
5 1-115.5 of this Code, (except as otherwise provided in
6 this paragraph 1), mail address of the owner or business
7 address of the owner if a firm, association, or
8 corporation, and, if available, email address of the
9 owner. If the mailing address is a post office box number,
10 the address listed on the driver license record may be
11 used to verify residence. A police officer, a deputy
12 sheriff, an elected sheriff, a law enforcement officer for
13 the Illinois State Police, a fire investigator, a state's
14 attorney, an assistant state's attorney, a state's
15 attorney special investigator, or a judicial officer may
16 elect to furnish the address of the headquarters of the
17 governmental entity, police district, or business address
18 where he or she works instead of his or her domicile
19 address, in which case that address shall be deemed to be
20 his or her domicile address for all purposes under this
21 Chapter 3. The spouse and children of a person who may
22 elect under this paragraph 1 to furnish the address of the
23 headquarters of the government entity, police district, or
24 business address where the person works instead of the
25 person's domicile address may, if they reside with that
26 person, also elect to furnish the address of the

1 headquarters of the government entity, police district, or
2 business address where the person works as their domicile
3 address, in which case that address shall be deemed to be
4 their domicile address for all purposes under this Chapter
5 3. In this paragraph 1: (A) "police officer" has the
6 meaning ascribed to "policeman" in Section 10-3-1 of the
7 Illinois Municipal Code; (B) "deputy sheriff" means a
8 deputy sheriff appointed under Section 3-6008 of the
9 Counties Code; (C) "elected sheriff" means a sheriff
10 commissioned pursuant to Section 3-6001 of the Counties
11 Code; (D) "fire investigator" means a person classified as
12 a peace officer under the Peace Officer Fire Investigation
13 Act; (E) "state's attorney", "assistant state's attorney",
14 and "state's attorney special investigator" mean a state's
15 attorney, assistant state's attorney, and state's attorney
16 special investigator commissioned or appointed under
17 Division 3-9 of the Counties Code; and (F) "judicial
18 officer" has the meaning ascribed to it in Section 1-10 of
19 the Judicial Privacy Act.

20 2. A description of the vehicle, including such
21 information as is required in an application for a
22 certificate of title, determined under such standard
23 rating as may be prescribed by the Secretary.

24 3. (Blank).

25 4. Such further information as may reasonably be
26 required by the Secretary to enable him to determine

1 whether the vehicle is lawfully entitled to registration
2 and the owner entitled to a certificate of title.

3 5. An affirmation by the applicant that all
4 information set forth is true and correct. If the
5 application is for the registration of a motor vehicle,
6 the applicant also shall affirm that the motor vehicle is
7 insured as required by this Code, that such insurance will
8 be maintained throughout the period for which the motor
9 vehicle shall be registered, and that neither the owner,
10 nor any person operating the motor vehicle with the
11 owner's permission, shall operate the motor vehicle unless
12 the required insurance is in effect. If the person signing
13 the affirmation is not the sole owner of the vehicle, such
14 person shall be deemed to have affirmed on behalf of all
15 the owners of the vehicle. If the person signing the
16 affirmation is not an owner of the vehicle, such person
17 shall be deemed to have affirmed on behalf of the owner or
18 owners of the vehicle. The lack of signature on the
19 application shall not in any manner exempt the owner or
20 owners from any provisions, requirements or penalties of
21 this Code.

22 (b) When such application refers to a new vehicle
23 purchased from a dealer the application shall be accompanied
24 by a Manufacturer's Statement of Origin from the dealer, and a
25 statement showing any lien retained by the dealer.

26 (Source: P.A. 102-538, eff. 8-20-21.)

1 (Text of Section after amendment by P.A. 102-1069)

2 Sec. 3-405. Application for registration.

3 (a) Every owner of a vehicle subject to registration under
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5 the registration of such vehicle upon the appropriate form or
6 forms furnished by the Secretary. Except as provided in
7 Section 2-106.1, every ~~Every~~ such original application shall
8 bear the signature of the owner written with pen and ink and
9 contain:

10 1. The name, domicile address, as defined in Section
11 1-115.5 of this Code, (except as otherwise provided in
12 this paragraph 1), mail address of the owner or business
13 address of the owner if a firm, association, or
14 corporation, and, if available, email address of the
15 owner. If the mailing address is a post office box number,
16 the address listed on the driver license record may be
17 used to verify residence. A police officer, a deputy
18 sheriff, an elected sheriff, a law enforcement officer for
19 the Illinois State Police, a fire investigator, a state's
20 attorney, an assistant state's attorney, a state's
21 attorney special investigator, or a judicial officer may
22 elect to furnish the address of the headquarters of the
23 governmental entity, police district, or business address
24 where he or she works instead of his or her domicile
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21 and "state's attorney special investigator" mean a state's
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24 Division 3-9 of the Counties Code; and (F) "judicial
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26 the Judicial Privacy Act.

1 2. A description of the vehicle, including such
2 information as is required in an application for a
3 certificate of title, determined under such standard
4 rating as may be prescribed by the Secretary.

5 3. (Blank).

6 3.5. A space for a voluntary disclosure of a condition
7 that impedes effective communication under Section
8 3-405.5.

9 4. Such further information as may reasonably be
10 required by the Secretary to enable him to determine
11 whether the vehicle is lawfully entitled to registration
12 and the owner entitled to a certificate of title.

13 5. An affirmation by the applicant that all
14 information set forth is true and correct. If the
15 application is for the registration of a motor vehicle,
16 the applicant also shall affirm that the motor vehicle is
17 insured as required by this Code, that such insurance will
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9 statement showing any lien retained by the dealer.

10 (Source: P.A. 102-538, eff. 8-20-21; 102-1069, eff. 7-1-23.)

11 Section 95. No acceleration or delay. Where this Act makes
12 changes in a statute that is represented in this Act by text
13 that is not yet or no longer in effect (for example, a Section
14 represented by multiple versions), the use of that text does
15 not accelerate or delay the taking effect of (i) the changes
16 made by this Act or (ii) provisions derived from any other
17 Public Act.